



"Barrett, Susan and Reid Brown" <bsrbrown@teleport .com> 01/15/2004 04:32 PM To <upper_deschutes_RMP@or.blm.gov>

CC

bcc

Subject udrmp comments

Please print the attached word doc. for your use if possible, if not consider this email text below as equivalent.

Lobos Motorcycle Club PO Box 2631 Clackamas, OR 97015

January 15, 2004

Bureau of Land Management: Teal Purrington

Upper Deschutes Resource Management Plan Draft

Dear Sir or Madam.

The Lobos Motorcycle Club is celebrating its 40th anniversary this year. We are an off-road motorcycle club that promotes organized events and work to preserve the sport of motorcycling. We have promoted events in central Oregon continuously since 1979. For thousands of OHV recreationists we have provided a fun organized, way to enjoy the area under consideration by this management plan, including vehicle sound testing, inspection and registration.

We have serious concerns with the current proposal:

After reviewing the list of participants, we believe the BLM did a grossly inadequate job of reaching out to OHV users for participation when forming the teams, and advisory groups that developed the list of alternatives and that finally selected alternative 7. These are overwhelmingly the largest stakeholders.

The biggest threat to success in OHV management is from over-concentrated use. OHV use is an extremely fast growing activity, and an excellent way for Americans to enjoy their public lands. We have been shocked to hear from the BLM that the clear data demonstrating these obvious trends was not considered in the development of this plan. In disparate contrast, *Non*-motorized areas however *are* proposed to increase in response to a perceived community need. Further, upon reading the plan, we find that the massive potential impacts of actually *reducing* the area available for OHV use have not been considered, and are not described

Proximity conflict is another recipe for failure in OHV management. We believe the preferred proposal, as well as the notes on the others reflect a lack of proper consideration of this fact. The current concept of mixed or adjacent motorized and non-motorized uses in the Cline Buttes area will present a huge management problem. Successful land managers in Washington, Idaho and here in Oregon have told us they would never consider *building in* these conflicts.

It has come to our attention that the BLM has associated OHV use with illegal activity such as dumping and vandalism. The closures and restrictions that are proposed as a response are offensive and irresponsible.

In closing, we would propose that the process generally should properly consider and describe the impacts to the OHV community including the terrible resource impacts from over-concentrated use that

will grow out of the periodic closures (like South Millican), permanent closures, and restrictions as proposed.

Barrett Brown, Treasurer



Lobos Motorcycle Club Lobo BLM udimp comments.doc

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January 16, 2004

Bureau of Land Management: Teal Purrington Upper Deschutes Resource Management Plan Draft

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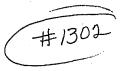
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In closing, we would propose that the process generally should properly consider and describe the impacts to the OHV community including the terrible resource impacts from over-concentrated use that will grow out of the periodic closures (like South Millican), permanent closures, and restrictions as proposed.

Thank you for the opportunity to comment, and please keep us informed as this issue progresses.

Lobos Motorcycle Club





"Doug MacCourt" <dcm@aterwynne.com> 01/15/2004 03:41 PM To <upper_deschutes_RMP@or.blm.gov>

"Doug MacCourt" <dcm@aterwynne.com>, <jdallred@starks.com>

bcc

Subject Comments to Draft Upper Deshutes Resource Management Plan and EIS

Dear BLM:

Per the Federal Register notice for the UDRMP, on behalf of the Oregon Motorcycle Riders Association (OMRA) I am submitting comments to the Draft UDRMP and EIS. Please confirm receipt of these comments, and contact me if you have any questions. Thank you.

Douglas C. MacCourt
Ater Wynne LLP
Suite 1800
222 S.W. Columbia
Portland, OR 97201
(503) 226-8672 (phone)
(503) 226-0079 (fax)
dcm@aterwynne.com
http://www.aterwynne.com

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Suite 1800 222 S.W. Columbia Portland, OR 97201-6618 503-226-1191 Fax 503-226-0079

Douglas C. MacCourt Direct Dial: 503-226-8672 E-Mail: dcm@aterwynne.com

January 14, 2004

VIA E-Mail: Upper_Deschutes RMP@or.blm.gov

Prineville BLM
Draft UDRMP
3050 N.E. Third Street
Prineville, OR 97754

Re: Comments on UDRMP
Oregon Motorcycle Riders Association

Dear Teal Purrington:

Thank you for the opportunity to provide written comments to the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement (UDRMP or EIS). These comments were prepared by and are being submitted on behalf of the Oregon Motorcycle Riders Association (OMRA).

OMRA was organized in 1972 as the statewide sanctioning body for off-road motorcycle events in the state of Oregon. It is a member-run club of approximately 800 individual members and 14 organizational members from across Oregon. The OMRA's main purpose is to unite responsible trail riders, riders in competitive and non-competitive events, and dual sport riders who wish to promote, preserve, and protect off-road recreation on public and private lands throughout Oregon. OMRA's goal and practice is to provide family-oriented recreational opportunities to its members and other off-highway vehicle ("OHV") users.

OMRA members include persons who regularly use public lands managed by the BLM in the UDRMP planning area (referred to in this letter as the "planning area" including the area formerly designated as the "Millican Valley Off-Highway Vehicle Planning Area"). Participation in OMRA events in the planning area involve a large number of persons in addition to OMRA members through co-sponsored events and other activities. In addition, OMRA members include property owners in and adjacent to the planning area, as well as residents and business owners in the Central Oregon communities near these lands. OMRA members make a significant financial contribution to management of public lands in the planning area, including OHV registrations sold in Oregon and the purchase of goods and services in the planning area.

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Prineville BLM January 14, 2004 Page 2

Summary of NEPA Issues of Concern to OMRA

The preferred alternative significantly and detrimentally impacts motorized recreation in the planning area. The UDRMP fails to comply with the procedural requirements of the National Environmental Policy Act (NEPA) to analyze and discuss those impacts. First, the UDRMP contains an inadequate analysis of impacts on motorized recreation, and, as a result, the EIS does not support the agency's decision to adopt the preferred alternative. Specifically, the UDRMP identifies a number of geographical areas where the preferred alternative limits or eliminates motorized recreation for OMRA members. The UDRMP lacks a reasonably thorough discussion of the probable consequences of adopting the preferred alternative and implementing these restrictions or closures. Second, the cumulative impacts of each individual limitation and closure to motorized recreation in the planning area, as well as the cumulative impacts from recent and historic closures and restrictions throughout the planning area, were not adequately discussed or analyzed. Third, the UDRMP fails to comply with NEPA by omitting any discussion of mitigation measures for reducing or eliminating motorized recreational opportunities for OMRA members and other citizens, including OMRA members whose property is adjacent to or near the impacted locations in the planning area. Finally, the UDRMP fails to demonstrate good-faith objectivity on the part of the lead agency toward motorized recreation and the interests of OMRA members and other citizens who use the planning area for motorized recreation.

Discussion____

Geographic Areas Limiting or Eliminating Motorized Recreation

1. Cline Buttes

The Cline Buttes area has been used for motorized recreation for more than 40 years, and remains a popular OHV area for many OMRA members in the planning area and throughout the state. The proposal for multiple recreation with non-motorized uses is not supported in the UDRMP for the Cline Buttes area. While under the right circumstances such a mix may be feasible in certain areas with intensive management, the Cline Buttes area lacks sufficient space and resources to accommodate both uses. Historic motorized use in the Cline Buttes area demonstrates that the preferred alternative should maintain a large enough area to accommodate organized and unorganized winter use activities. The UDRMP does not discuss or analyze how the intensive management that will be needed to support the mix of uses will be provided by BLM. Likewise, the UDRMP fails to address the impact on OMRA or other OHV users by introducing conflicting uses to Cline Buttes in the manner proposed by the preferred alternative.

2. Horse Ridge

The UDRMP proposes to limit management of motorized recreation in the Skeleton Fire area to a few main roads, to provide a designated trail system for nonmotorized uses, and limit the trail density for motorized use. Under these circumstances, the trail density needs to be

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flexibly sited and managed to accommodate for the topography in the Horse Ridge area. The UDRMP fails to discuss how OMRA and other OHV users will be impacted by these limitations, and makes no provision to mitigate these impacts through flexible siting and development of trail density throughout the management area.

3. La Pine

The preferred alternative proposes seasonal closure of a significant portion of the La Pine management area (the southern third). This restriction will seriously limit access to motorized use areas adjacent to La Pine, as well as access from La Pine to the Rosland OHV Play area and the motorized recreation areas in the Deschutes National Forest. The UDRMP fails to discuss or analyze these impacts. The UDRMP fails to address mitigation of these impacts, which can be provided without significant environmental impact in the preferred alternative by dedicated access to the La Pine urban area, as well as a small number of corridors through the southern third to the Rosland and Deschutes motorized recreation areas.

4. Millican Plateau

The general direction of the preferred alternative for the Millican Plateau is supported by the OMRA, with a few exceptions. The closure of the northern tip of the Millican Plateau due to dumping and vandalism problems penalizes law-abiding OMRA members and other OHV—users whose permit fees fund law enforcement and restoration activities in the Millican Plateau and other parts of the planning area.

In addition, OMRA members pay for a quality recreational opportunity and should have adequate access to visual-resources in this area along with other uses managed by the lead agency. The UDRMP fails to discuss how OMRA members and other OHV users will be integrated into the planning process to ensure access to these resources.

5. North Millican

The Dry Canyon area along Highway 20 should not be closed completely to motorized recreation, and the UDRMP fails to adequately analyze or discuss impacts from such an extreme closure, or explain why some minimal access to vistas and areas around the dry canyon area cannot be maintained for OMRA members and other OHV users. Similarly, the cumulative impacts of these proposed closures have not been addressed.

The UDRMP fails to adequately analyze a number of other significant issues, including the OHV trail density limitation of 1.5 miles of trail per square mile. There is no discussion or analysis of how this density will work considering the winter closure of South Millican and the recent paving of West Butte Road which has segmented the area's OHV trail system and created serious management and safety issues for OHV use. The trail density reduction and other restrictions and closures in the preferred alternative will significantly worsen impacts to other

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resources and increase congestion and use conflicts. The UDRMP makes a limited recognition of this problem but the actions proposed in the preferred alternative fail to take these issues into account or discuss any potential mitigation.

The EIS also fails to mention that for several years preceding the development of the UDRMP, OMRA members and other OHV users participated with BLM to develop management strategies concerning OHV use in the North Millican area. These efforts showed that opening South Millican in the winter would mitigate the effect of reducing trail densities as proposed in the preferred alternative. The UDRMP should also analyze the balance between continued use in the North Millican area and increasing limitations and closures in other parts of the planning area such as the Badlands. The North Millican area is one of the critical geographic regions for OHV use in the planning area and the state of Oregon for OMRA members. The UDRMP needs to provide a clear explanation of how OHV uses in this area will be protected and integrated into the management effort during the interim period following adoption of the final UDRMP and the implementation of the proposed trail system.

6. Prineville Reservoir

The area surrounding the Prineville reservoir has historically been used for a variety of OHV uses. The preferred alternative proposes to displace this historic OHV use without any discussion of impact or mitigation on the adjacent Prineville community that includes OMRA members and other OHV users.

7. South Millican

The preferred alternative proposes to retain extreme seasonal closures, leaving OHV users with access to this popular area only 4 months of the year. These four months include August, September, October and November, the hottest and driest periods for South Millican. The result is a serious reduction in OHV opportunities and greater potential for environmental impacts through soil damage. These impacts are not adequately discussed or analyzed in the UDRMP.

In addition, the UDRMP provides no analysis of why such extreme closures are needed to protect deer populations that other wildlife management professionals believe may currently exceed the carrying capacity for deer in the South Millican area. In fact, OMRA members and others who have used the South Millican area for many years have documented the continued absence of deer from this area. The UDRMP fails to explain why a winter range closure is needed or appropriate under these circumstances. The result of the preferred alternative for South Millican is to favor hunting and other uses over OHV uses, but the UDRMP does not discuss or analyze how a permanent winter closure is necessary or beneficial in the long run to wildlife, especially considering the cost to current and historic OHV uses and the minimal gain to limited deer populations. The preferred alternative ignores the uncontested recommendations of the Recreation Issue Team without any discussion or analysis of impacts to OHV users.

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The South Millican area historically supported special use permits for a variety of OHV and other uses. The connection between South Millican and the OHV areas in North Millican is ignored by the UDRMP. With an adequate analysis, the UDRMP would show that special use permitted events could continue in South Millican, be served by existing connections to North Millican, and support proposed environmental protections in the preferred alternative.

General Considerations

The preferred alternative in the UDRMP proposes significant and detrimental impacts to OMRA members and OHV users by relying heavily on the management techniques of limiting OHV use to designated roads and trails, by limiting trail densities, and by continuing or increasing closures from the consent judgement in *Central Oregon Forest Issues Committee v. Kenna*. The UDRMP fails to discuss or analyze the detrimental impact of such limitations, individually or cumulatively. The UDRMP also fails to analyze how these limitations and closures will force uses into adjacent areas (particularly to the east of the planning area) and the resulting social and environmental impacts in these areas such as the sage grouse habitat located to the east of the planning area where such impacts are likely to be shifted. The result is environmental degradation that is not analyzed in the UDRMP, and loss of valuable OHV resources in the planning area. OMRA is concerned that significant data on road and trail densities, location of roads and trails, and mileage information for OHV systems was not referenced or relied upon in the UDRMP. Without a more thorough discussion and analysis of existing data on specific OHV use in the areas impacted by the UDRMP, the EIS does not support the preferred alternative.

OMRA is extremely concerned about the absence of meaningful opportunities for involving motorized recreational interests in the UDRMP planning and development process. Only one individual representing motorized recreation was allowed to participate on the Recreation Issue Team, and no other motorized recreation interests were allowed to join any other issue team. Attempts by OMRA to increase the representation of the motorized recreation community in the UDRMP process were rejected by BLM without explanation. No motorized recreational interests were represented on the Deschutes Provincial Advisory Committee (PAC) and Subcommittee, despite years of participation by OMRA members and other OHV users of the planning area leading up to the UDRMP process.

NEPA, as interpreted by the Ninth Circuit Court of Appeals, mandates that an environmental impact statement be objective. While BLM is not required to be impartial, the UDRMP cannot fail to adequately address impacts to OHV users as the result of a flawed or biased process or an inadequate analysis. The EIS recognizes the importance of OHV use to the UDRMP planning area. However, neither the process nor the preferred alternative reflects this importance. The EIS process should be continued, and the EIS should be revised to incorporate the years of input provided to BLM by the OHV community for the planning area. Otherwise it is difficult to escape the conclusion that the UDRMP and the process that created it was seriously biased against OHV interests.

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NEPA requires BLM to undertake the appropriate hard look at all relevant impacts and design a process and a product through the EIS that discussed and analyzed these impacts. This includes revisiting the basis for the current restrictions on OHV use mandated by the US District Court in the consent judgement negotiated between a small number of special interest group plaintiffs and the BLM in *Central Oregon Forest Issues Committee v. Kenna*. As the court stated in response to OMRA's objections to the consent judgement:

The fact that the Final Judgement will impose new restrictions on off-highway vehicle (OHV) uses outside the Millican Valley OHV Area would have more significance if the restrictions were permanent, but they are temporary. Indeed, all the restrictions imposed by the Judgement are in effect only "until an EIS as described [in paragraph 1 of the Judgement] is completed and a record of decision [ROD] is issued for the Millican Valley OHV Management Plan.

Unfortunately, the UDRMP proposes to make many of the restrictions negotiated between the plaintiffs and BLM in the consent judgement permanent without adequate discussion or justification. OMRA and the OHV community have spent many years and dedicated significant resources to providing balanced opportunities for motorized recreation in the planning area of the UDRMP. The UDRMP process should be continued so that this input can be incorporated in to the EIS and the significant impacts to motorized recreation proposed by the preferred alternative may be properly discussed and analyzed.

Very truly yours,

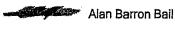
Douglas C. MacCourt

be Court

cc: Jonathan Allred, OMRA
Senator Gordon Smith

Congressman Greg Walden





To: Teal Purrington/PRFO/OR/BLM/DOI@BLM

01/16/2004 08:42 AM

Subject: Fw: Comments to UDRMP, Horse Ridge Area

---- Forwarded by Alan Barron Bail/PRFO/OR/BLM/DOI on 01/16/2004 08:42 AM -----



"Eric Meglasson" <emeglasson@bendcab le.com> 01/15/2004 10:32 PM

To: <RMP@or.blm.gov>

cc: <Alan_Barron_Bail@or.blm.gov>, <Robert_Towne@or.blm.gov>, <Margaret_Wolf@or.blm.gov>, <Elaine_M_Brong@or.blm.gov>, <Greg_Currie@or.blm.gov>, <Robin_Snyder@or.blm.gov>, "Eric Meglasson" <emeglasson@bendcable.com>

bcc:

Subject: Comments to UDRMP, Horse Ridge Area

Attached herewith are comments to the Upper Deschutes Resource Management Plan regarding the Horse Ridge area. COTA, the Central Oregon Trail Alliance, appreciates the opportunity to be involved in the Public Comment period of the plan. We hope our comments are helpful and we look forward to continuing to work with the BLM on trail related issues in the future.



Horse Ridge Comments.doc



Central Oregon Trail Alliance www.cotamtb.org

January 15, 2004

Bureau of Land Management, Prineville District Attention: Teal Purrington 3050 N.E. 3rd Street Prineville, OR 97754 upperdeschutesRMP@or.blm.gov

Re; Upper Deschutes Resource Management Plan as it applies to Horse Ridge.

The following comments are in regard to the Upper Deschutes Resource Management Plan as it applies to the Horse Ridge area south east of Bend. The Central Oregon Trails Alliance (COTA) is in favor of the preferred alternative (alternative 7).

Which ever alternative is adopted, COTA has several topics of interest and concerns we would like to discuss with the BLM.

Horse Ridge provides an excellent winter riding area for mountain bikes with a good mix of trails and dirt roads. The area provides bicyclists and hikers the opportunity to experience the majestic landscapes of Oregon's High Desert and the ability to recreate in winter months when other areas are under snow. The Horse Ridge area is an important part of the unique and varied landscape that makes Central Oregon such a desirable place to live and visit.

A sparse user built trail network currently exists on Horse Ridge. It has been used as a winter riding area for mountain bikers for more than a decade. We would like the opportunity to expand the trail network at Horse Ridge in the future, but much more importantly we would like to protect the trails that already exist.

This letter is a list of suggestions that COTA has compiled which we believe will help maintain the quality of the recreational experience at Horse Ridge. Our concerns mainly relate to the amount and type of use that these trails will experience in the future.

The single largest problem we see currently is the indiscriminant use of motorized vehicles. In many cases this is inadvertent as there are existing motorized trails in non motorized areas and across private property. The relatively large blocks of multi use and non motorized use proposed in Alternative 7 will make it easier for all users to understand boundaries an easier for the BLM to sign the boundaries between multiuse, non-motorized, and private properties.

Horse ridge is a unique and fragile environment. The soil is sand. During winter months with moisture present the sand compacts nicely under bicycle and foot traffic. The weight and nature of horses and motorcycles destroys the usefulness of the trails for other users. Alternative seven combines bicycles, horses, and foot traffic into a single user group. Separate trails will be needed at Horse Ridge to keep horses off from hiker-biker trails.

Commercial use:

We recommend that no special recreation permits for trail dependent annual use should be issued for Horse Ridge. Trail degradation would be severe and require many hours of maintenance. Commercial use would have a higher impact on wildlife in the area.

Horse Use:

We recommend creating separate trails for horses and cyclists in order to minimize conflict. As an example, there are currently very few conflicts between cyclists and horses on Deschutes National Forest land. This is due to the fact that the two uses are almost completely separated. The user separation is a large reason that Central Oregon has been noted as one of the five best towns to ride mountain bikes in the nation by numerous cycling publications.

Organized Group use:

We recommend that no SRP's should be issued for Horse Ridge for trail dependent events. No motorized events should be held on roads on Horse Ridge.

Event Density:

Allowing two events per month of two days each is too much in this fragile environment. The impact to natural resources and to the experience of other users at Horse Ridge will degrade as the size of user groups increase.

The only sustainable use at Horse Ridge will occur by individuals or small groups attempting to enjoy the desert environment and wildlife. This is not an appropriate location for commercial use, events, or races.

Wildlife:

Alternative 7 deems wildlife management as primary for this area. The allocations and allowable uses for Horse Ridge are not compatible with the fragile soil conditions and wildlife management emphasis.

COTA's future at Horse Ridge

COTA currently maintains the existing hiker & biker trails at Horse Ridge. The trails are maintained to their current narrow tread width. Maintenance consists of removing bunch grass, lining trail with stones to encourage riders to stay on trail, replacing soil after heavy rains, and creating water diversions where necessary. COTA also actively spreads the word that in the future only trails approved by the BLM will be built and any new, unapproved trails will be obliterated. COTA will work with the BLM to layout the trail system and will provide labor and tools for trail building and maintenance.

COTA's commitment to the BLM is based on building and maintaining sustainable trails. In the sandy soil present at Horse ridge, we do not consider horse and motorcycle trails to be sustainable by our standards. COTA will not maintain trails that are used by motorcycles, ATV's, or horses. COTA also cannot maintain trails that are used for commercial purposes. We have found in our dealings with the USFS that of the 1000+volunteer hours we put in each year, a significant amount of our time is spent repairing damage by commercial users. We do not have the manpower or the desire to continue rehabilitating trails damaged by increasing commercial use. COTA is currently working with the USFS to create a program which requires a significant damage deposit and commitment to rehabilitate any trail that will be used for a commercial event. The USFS recognizes that this program will save them a great deal of money and COTA a great deal of time. We recommend the BLM consider adopting a similar program for future event permitees.

Thank you very much for your time and your careful consideration of our comments.

Sincerely,

Phil Meglasson, COTA Trail Consultant (541)382-2426 phildirt@bendcable.com

Eric Meglasson, COTA President (541)408-7749 emeglasson@bendcable.com



U.S. Fish and Wildlife Service Bend Field Office 20310 Empire Ave, Suite A-100 Bend, OR 97701

Office phone: (541) 383-7146 FAX Number: (541) 383-7638 JAN 1 5 2004 BLM PRINEVILLE DISTRICT

Date: January 15, 2004

Time: 3:29PM

FAX Transmittal

To: Teal Purrington

FAX Number: 541/416-6798

From: USFWS Bend Field Office

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Distribution

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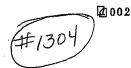
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Usual Routing

Subject: USFWS Comments to the Upper Deschutes Resource Management Plan and Environmental Impact Statement

Number of pages (including transmittal sheet):

Comments: Teal, we have also placed a signed letter in the mail. Thank you for the opportunity to comment. Good luck with the comment review. jjc





United States Department of the Interior



FISH AND WILDLIFE SERVICE

Bend Field Office 20310 Empire Avenue, Suite A100 Bend, Oregon 97701 (541) 383-7146 FAX: (541) 383-7638

Reply To: 8330.01272 (04)

File Name: BLM UDRMP DEIS Comments Jan04.doc

Tracking Numbers: 04-255

January 15, 2004

Memorandum

To:

Deschutes Field Manager, Prineville USDI Bureau of Land Management, Oregon

Attn: Teal Purrington

From:

Field Supervisor, Bend Field Office, Bend, Oregon / Lower

Subject:

Comments on the Draft Upper Deschutes Resource Management Plan and

Environmental Impact Statement [log#: 1-7-04-TA-0127]

The Fish and Wildlife Service Bend Field Office (Service) has reviewed your draft Upper Deschutes Resource Management Plan and Environmental Impact Statement (UDRMP) dated October 2003. The UDRMP analyzes the effects of a range of alternatives that address significant issues concerning the management of approximately 404,000 acres (Planning Area) of lands administered by the Bureau of Land Management (BLM). About 57% of the lands are in Deschutes County while about 36% are in Crook County.

The Service recognizes and appreciates the significant efforts made by the BLM in providing a collaborative citizen involvement approach to develop and analyze the draft UDRMP. The Service has actively participated as a member of the Deschutes Provincial Advisory Committee, and the Upper Deschutes Resource Management Plan Issue Team, to advise the BLM during the planning process.

The UDRMP examines seven alternatives, including Alternative 1 the No Action/No Change Alternative. All the action alternatives (Alternatives 2-7) provide for a variety of differing levels of multiple uses. The six action alternatives provide for different resource management emphasis and include: Alternative 2 - least overall change from current management with an



emphasis on providing multiple uses in the same areas; Alternative 3 – increases the emphasis on reducing conflicts between human uses and wildlife habitat management objectives, and separating recreational uses; Alternative 4 – combines the approaches used in Alternatives 2 and 3, and includes a greater emphasis on providing for recreation opportunities; Alternative 5 – focuses on reduced or lower conflict activities and higher quality wildlife habitat within the urban areas, and more reliance on broad-scale conservation approaches across the planning area; Alternative 6 – emphasizes the future of effective wildlife habitat outside of the areas most likely to be affected by residential and urban development; and Alternative 7 – combines various features of the previous alternatives. It places a greater emphasis on primary and secondary wildlife habitat emphasis areas in the southeast or "rural" portion of the planning area, but also allows for increased amounts of year-round motorized use in much of the rural area. Alternative 7 is BLM's preferred alternative, and therefore will be the focus of Service comments. We offer the following comments and recommendations to assist the BLM in completing this analysis.

The Service commends the BLM on their approach to developing the UDRMP and analyzing the complex and significant land management issues resulting from rapid population growth and subsequent increasing demands on natural resources. We concur with you that ecosystem health and diversity, including impacts to habitat and wildlife are key issues to analyze in the UDRMP. Of particular concern to the Service are the direct, indirect, and cumulative impacts to wildlife and their habitat resulting from implementation of the Preferred Alternative. The Service appreciates your efforts to assess these impacts through the use of source habitat, historic range of variability of vegetation, habitat effectiveness assessments, wildlife emphasis levels and extensive use of GIS analysis and maps. However, we have concerns that the variety of proposed activities within management areas will preclude your ability to achieve your ecosystem goal to restore and support healthy ecosystems in conjunction with vegetation and wildlife habitat needs. For example, as presently proposed the Preferred Alternative allows for extensive Off Highway Vehicle use within important habitat areas for special status species.

Our comments focus on the following issues: 1) land management implications; 2) habitat effectiveness model; 3) sage grouse and shrub steppe habitat; 4) transportation system planning; 5) wildlife emphasis; 6) juniper woodland management; 7) livestock grazing; 8) species of concern; and 9) Oregon Military Department use.

The effectiveness of habitat (i.e., habitat quality and quantity) within the Planning Area is the primary concern for the Service. The Service recognizes that the population of Central Oregon is projected to double between 1990 and 2010. The demand for amount and diversity of recreational opportunities (e.g., Off Highway Vehicle use) is expected to increase at a similar rate. During the collaborative planning process lead by the BLM to resolve significant planning issues within the planning area, it was generally recognized that wildlife habitat within BLM administered lands continues to be degraded in some areas as a result of adjacent urban development (e.g., residential development in winter range, increased year round recreational motorized activities). For these and other reasons, sage grouse, mule deer, and pronghorn have shown marked declines over the last 50 years throughout the planning area. Cumulatively, the factors presented pose a challenging dilemma to resource managers. Our ability to restore and

support healthy ecosystems in conjunction with vegetation and wildlife habitat needs, while managing for expected increases in human population and use levels (Goals, Volume 2, p. 42) will become more difficult over the life of the plan. As a result, the Service recommends that the BLM fully evaluate current habitat conditions (e.g., habitat fragmentation), wildlife trends, and cumulative effects of all activities within the planning area, and develop a focused management direction necessary to ensure ecosystem viability for the long term.

GENERAL COMMENTS

Land Management Implications

The Service supports the designation of primary wildlife emphasis level as an appropriate tool to identify areas where wildlife is one of the most important management considerations and to retain high wildlife use. However, with wildlife disturbance from roads and trails being a key concern for wildlife managers, the UDRMP has established a framework of conflicting resource management objectives between travel management designations and areas designated as primary wildlife emphasis. Conflicting resource management objectives will be difficult to manage and limit the effectiveness of the plan to meet either recreation or wildlife resource objectives.

Alternative 7 proposes to reduce or eliminate Off Highway Vehicle (OHV) use in some areas and construct extensive networks of new and loop trails in other areas. Without successful implementation of the reduction or elimination in OHV use that is called for in some areas, the adverse affects will be expanded by creating, opening, or improving OHV trails in other areas.

Service Recommendation:

The Service recommends that the BLM establish a team that includes the Service, Oregon Department of Fish and Wildlife Service, Crook and Deschutes Counties, and others, to assist you in evaluating and monitoring the implementation of the use of roads and trails. Citizen/user groups should be involved in this monitoring to bring transparency to the decision-making process. In addition, we would urge that the closures and other regulation changes be implemented and monitored for successful implementation before expanding OHV facilities/trail into other areas of primary wildlife emphasis.

Habitat Effectiveness Model

The "Habitat Effectiveness" model was used to evaluate wildlife habitat disturbance and fragmentation due to arterial, collector, and right-of-way roads. The habitat effectiveness model was modified from an elk habitat effectiveness model (Rowland et al. 2000) and applied as an index to also measure the percentage of available habitat that is usable by both sage grouse and mule deer. The Service recognizes that modeling can be an effective tool in analyzing the effects of roads and recreation trails on wildlife, and we commend you for undertaking this analysis. However, habitat effectiveness was calculated without including local roads and trails. With arterial, collector, and right-of-way roads, constituting less than one-half of the total miles of roads within the planning area, the modeling does not realistically assess wildlife impacts for

Alternatives 2-7. Additionally, the UDRMP states that user created roads proliferate: an estimated 2,000 miles of user created roads or local roads that are not maintained or officially part of an integrated transportation system occur within the Planning Area. Because many of these roads are not mapped, we would expect the model to under estimate habitat effectiveness. We concur with your guidelines to "where possible, maintain large, unfragmented patches of habitat (1,000 to 2,000 acres)", and "target low densities of open motorized travel routes (≤ 1.5 mi/mi²)".

Service Recommendations:

We recommend that the Habitat Effectiveness model be run using all roads (arterial, collector, right-of-ways) and trails, and that the UDRMP EIS assess the cumulative impacts of these roads on wildlife and habitat. Mitigation to offset direct, indirect, and cumulative adverse affects resulting from the extensive road network could be accomplished through an assessment of the user created and other roads, and closure and obliteration of targeted roads to maintain, protect, and restore habitat quality, and to create suitable wildlife habitat patch size to support wildlife, while still allowing access and recreation.

Sage Grouse and Shrub Steppe Habitat

The Service is particularly concerned with potential project impacts to the greater sage grouse (Centrocercus urophasianus) (sage grouse), a species petitioned for listing under the Endangered Species Act. The Service is currently conducting a 90-day review of the sage grouse petition. Populations of sage grouse have been declining throughout much of its range since the 1930s, primarily due to loss, degradation and fragmentation of habitat. Sage grouse are present within the UDRMP area.

The Prineville District began a sage grouse study within the Deschutes Resource Area in 1988. This area is located within the Planning Area. Millican Valley is considered to be an important wintering area for sage grouse, especially during the more severe winters. During the period from 1988-1993 male sage grouse experienced a significant decline. Overall population estimates were calculated in 1992 and 1993, with 611 and 514 birds respectively. Current sage grouse numbers on the study area were considered low compared to historic numbers in this area and other parts of Oregon (USDI, 1994). If BLM has updated information on the status of this population, we request that this information be included in the EIS for the UDRMP.

The Service concurs with the draft UDRMP Goals and Management Direction for Ecosystem Health and Diversity (which includes wildlife and special status species including the sage grouse). We support your commitment to implement the Greater Sage-Grouse and Sagebrush-Steppe Ecosystem Guidelines (2000) (Alternatives 2-7), and to ensure that grazing management will be implemented to meet habitat and other resource objectives. We offer our assistance in working with you on habitat management and monitoring for special status species to help ensure that projects will provide for the long-term conservation of the sage grouse and other special status species.

Activities that can adversely impact sage grouse and their habitat include agricultural conversion, rangeland conversion, including herbicide and mechanical treatments, off-highway vehicle use, livestock management including grazing and seeding, juniper encroachment, exotic species, wildfire, prescribed fire, structures, including fences, and recreational use. All of these activities occur within the Planning Area.

Service Recommendations:

The draft EIS should analyze the direct, indirect, and cumulative effects of the above mentioned affects to the sage grouse population in the Planning Area, and discuss mitigation to offset adverse impacts.

In order to provide an appropriate effects analysis for impacts of roads and trails the habitat effectiveness model and the road influence index (RII) should be run for sage grouse, deer and elk for all roads and trails.

Develop a sage grouse conservation and restoration strategy prior to expanding roads or trails within sage grouse yearlong and probable habitat areas.

Develop OHV management strategies for sage grouse use areas to maintain sage grouse habitat and use by sage grouse.

Establish an independent review process to evaluate management plan effectiveness in meeting the management goals and direction for sage grouse and their habitat.

Sage Grouse Habitat Fragmentation and Disturbance Analysis: In cooperation with the BLM, we performed a habitat fragmentation analysis within yearlong and probable sage grouse habitat within the planning area including: Horse Ridge, South Millican, North Millican, Prineville Reservoir, and portions of Millican Plateau management areas. To complete the analysis, the BLM provided geographic information system (GIS) layers including: roads and trails, power line corridors, sage grouse range, restoration activity, and vegetation, among others. The assumption of the analysis is that the cumulative effect of roads, motorized trails, and power lines, degrade sage grouse habitat by altering the use of these habitats by inhibiting movement, causing displacement, and/or avoidance during breeding activities (February 15 – July 31).

Road densities were calculated within the sage grouse range of the planning area for both the entire road/trail network, and for arterial, collector, private and right-of-way roads (i.e., excluding local roads and trails) (Table 1). The data was summarized using the road density categories ($\leq 1.5 \text{ mi/mi}^2$, $1.5 - 2.5 \text{ mi/mi}^2$, and $\geq 2.5 \text{ mi/mi}^2$) developed in the plan.

Tables 2 and 3 summarize road densities by geographic area for all roads and arterial, collector, private, right-of-way roads, respectively. Figures 1 and 2 pictorially summarize the sage grouse fragmentation analysis for all roads and arterial, collector, private, right-of-way roads, respectively. Figure 3 provides the geographic areas (i.e., recreation management areas) within the sage grouse analysis area. The entire analysis is preliminary, and the Service looks forward to meeting with the BLM to discuss the analysis and review the findings. The Service greatly

appreciates the assistance and guidance provided by the BLM staff in the development of the analysis.

Service Recommendations:

General findings and recommendations from the sage grouse habitat fragmentation and disturbance analysis:

- 1) Sage grouse habitat is highly fragmented by roads and trails within the planning area. When including all roads and trails, only two un-fragmented patches area greater than 2,000 acres.
- 2) The identification and conservation of un-fragmented patches is important. Strategically closing roads and trails to enlarge un-fragmented patches within sage grouse habitats could be an effective conservation strategy.
- 3) Sage grouse habitat requirement (e.g., lekking and brood rearing) would be best served by strategically closing roads and trails adjacent to quality sage grouse habitats to reduce disturbance from roads and trails and maximize reproductive success.
- 4) The fragmentation of sage grouse habitat from all roads, and the arterial, collector, private, right-of-way roads, analysis indicates that the majority of the un-fragmented patches within sage grouse habitat are ≤ 250 acres. The Primary Wildlife Emphasis guidelines targets un-fragmented habitat patches of 1,000 − 2,000 acres. The largest low road density patches shown in Figures 1 and 2 warrant management attention and road closures should be strongly considered in these areas.

Based on current road densities and level of fragmentation, establish motorized seasonal use periods as closed from December 1 – July 31 within areas identified as primary wildlife emphasis for sage grouse.

Review the road network and strategically close mads to both increase un-fragmented patches, as well as, provide for quality sage grouse habitats to reduce disturbance from roads and trails.

Sage Grouse Restoration: The Service supports and encourages the implementation of projects within "Priority Sage Grouse Restoration Areas" that maintain and restore the sagebrush steppe plant community, particularly in areas that optimize conservation of the sage grouse.

Service Recommendations:

The UDRMP should provide the framework for the future establishment of a sage grouse conservation strategy to: 1) prioritize restoration actions; 2) address short and long-term restoration goals; and 3) develop a monitoring and adaptive management process to ensure sage grouse objectives are met.

Establish a mechanism in the UDRMP to implement new motorized seasonal use periods within areas restored for sage grouse.

The UDRMP EIS should analyze impacts resulting from the multiple uses proposed in the alternatives to assess the adequacy of the plans to conserve the sage grouse. Information regarding status of sage grouse within the Planning Area and monitoring information on the

condition of the range would be necessary in assessing project impacts to this species. We are concerned that without a thorough analysis of effects to sage grouse, activities under the UDRMP may further degrade important sage grouse habitat.

Transportation System Planning

The planning area is heavily roaded by all levels of routes, ranging from arterial systems to user created local roads and OHV trails. Seasonal closures for motorized travel and distance buffers have typically been the primary techniques to manage these disturbances to wildlife in the planning area. Winter range, seasonal migration corridors, breeding sites, roosting sites, and forging habitat are some of the primary habitat components managed to limit disturbance from motorized travel.

In many locations across the planning area, road density currently exceeds 2.5 mi/mi² when considering only arterial, collector, and right-of-way roads. For example, considering only these roads, 29% of the yearlong sage grouse habitat area (North Millican, South Millican, Horse Ridge and portions within the Millican Plateau) exceeded 2.5 mi/mi². When local roads and trails are included, 58% of the yearlong sage grouse habitat area exceeds 2.5 mi/mi². These areas are adversely impacted by high road density. Seasonal closures will be necessary across large areas to effectively manage the disturbance from roads to sage grouse, pronghorn, mule deer, and elk within areas identified as primary wildlife emphasis.

Service Recommendations:

The road density target for the open road network within primary wildlife emphasis areas should be maintained at densities $\leq 1.5 \text{ mi/mi}^2$ in order to benefit wildlife and retain high wildlife use. Current road densities (including only arterial, collector, and right-of-way roads) exceed 1.5 mi/mi² in 50 percent of the total area, and exceed 2.5 mi/mi² in 30 percent of the area, respectively.

Millican Road: This road decision was removed from the EIS process by legislative direction. However the BLM needs to be aware and plan for the changes in use that will develop once the reconstruction and paving is completed. In addition to truck traffic on the route, recreationists will likely use the more accessible area for hunting, rock-hounding, hiking, biking, and OHV use. The Millican road will degrade wildlife capabilities of the area.

Service Recommendations:

An analysis of effects of the Millican Road should be included as part of the cumulative impact assessment in the UDRMP EIS.

Wildlife Emphasis

Wildlife Emphasis Levels: The UDRMP geographically identifies three wildlife emphasis levels across the planning area, and provides guidelines for each including: 1) Primary wildlife emphasis (70 percent or greater habitat effectiveness; un-fragmented patches (1,000-2,000 acres); and road densities $\leq 1.5 \text{ mi/mi}^2$); 2) secondary wildlife emphasis (50 percent or greater

habitat effectiveness; un-fragmented patches (400-800 acres); and road densities ≤ 2.5 mi/mi²); and 3) minor wildlife emphasis (contributes to species occurrence and distribution with guidelines tied to minimum legal requirements).

Primary Wildlife Emphasis: The definition of "Primary wildlife emphasis" (Volume 2, p. 37) states "Areas allocated to primary emphasis are intended to benefit wildlife and retain high wildlife use by applying one or more of the following guidelines." The list of guidelines includes targets for Habitat Effectiveness, un-fragmented patches, road densities and a high priority designation for restoration treatments. Please clarify what is meant by "applying one or more of the following guidelines". We assume it is intended to be "as applicable" to each site. However, we are concerned that the language could be interpreted to mean that areas allocated to primary wildlife emphasis and are intended to benefit wildlife and retain high wildlife use could be met by applying only one of the guidelines (e.g., "rate as high priority for habitat restoration treatments"). The fact that the geographic area may be "identified" as high priority for habitat restoration treatments, should not be misconstrued to mean that primary wildlife emphasis guidelines have been met for an area.

In Alternative 7, primary wildlife emphasis areas include 100 percent of all sage grouse habitat, 73 percent of the golden eagle nesting and adjacent foraging areas, 75 percent of the elk and deer winter range, and 46 percent of the pronghorn antelope year-round habitat. The greatest overall concentration of wildlife habitat is within the southeast portion of the UDRMP (Horse Ridge, South Millican, North Millican, Prineville Reservoir, and portions of the Millican Plateau). The Service supports the premise provided by Alternative 7, to emphasize primary wildlife management within areas where there are high concentrations of important habitat for multiple wildlife species. Focusing limited resources to effectively manage and restore key wildlife habitat areas will be essential to meet UDRMP objectives for wildlife. However, the Service is concerned that although Alternative 7 allocates 100 percent of sage grouse habitat (77,601 acres) as "primary wildlife emphasis," the majority of the sage grouse habitat is open year round to motorized use. Prior to including any additional miles of local roads and trails, Habitat Effectiveness is already below target level (Table 4-4), as is road density. Due to the heavily roaded planning area, in order to achieve the guidelines developed for primary wildlife emphasis for sage grouse (i.e., HE = 70), and provide a OHV trail network, a large amount of arterial, collector, and all administratively controlled local roads, will need to be closed seasonally as well as permanently.

Service Recommendations:

All appropriate primary wildlife emphasis guidelines for habitat effectiveness, fragmentation, road densities, and habitat restoration treatments, should be applied to ensure that future proposed actions benefit wildlife and retain high wildlife use. Actions that do not benefit wildlife or retain high wildlife use within primary wildlife emphasis areas should be modified or discontinued to retain high wildlife use within these areas.

The habitat effectiveness index of 70 percent should be maintained as the minimum level necessary to maintain primary wildlife emphasis. The declining trend of the local sage grouse population, general loss and degradation of elk and deer winter range, the high number of user

created road and trails being developed within North Millican, South Millican, and Horse Ridge, and the sometimes limited effectiveness of road closures, will require a minimum Habitat Effectiveness of 70 percent in order to provide for conditions that will ensure a benefit to wildlife and retain high wildlife use within primary wildlife emphasis areas.

Motorized seasonal use periods should be implemented for Horse Ridge, and North Millican geographic areas to be "closed from December 1" to July 31st." Without a seasonal closure and effectively closing all local roads and trails, total road densities will exceed 1.5 mi/mi² in 73 percent of the total area, and exceed 2.5 mi/mi² in 54 percent of the area, respectively.

Given the potential for damaging lands and disrupting plant and wildlife populations, we recommend establishing a monitoring protocol and adaptive management procedures in order to track authorized and unauthorized OHV use and to allow effective and timely resource management changes when necessary.

Juniper Woodland Management

Invasive Juniper Woodlands: The Service would like to work with you on the juniper woodland removal projects. We are particularly interested in the removal of junipers that have invaded sage grouse habitat that still has the habitat potential to support sage grouse. We recommend each project have site-specific analysis. We suggest that BLM convene a committee to assess the restoration potential of each site. The removal of juniper may not result in the expected repopulation by native plant species that we want reestablished. The response of the vegetation community to mechanical/fire removal of juniper will depend on the ecological resilience of each site. Results of the restoration to achieve the desired range of condition will likely be based on a number of factors including the type of fire, management practices after the fire, presence of existing non-native species (e.g. cheat grass), and soil type. Removal of junipers will not necessarily resolve the problem and initiate the natural successional process to reestablish native plant communities. Issues that may be key to successful restoration must be addressed on a site specific basis and include: 1) type of resources still present within the juniper stand; 2) type of impact fire will have on the remaining bunch grass and sage plant species; and 3) potential for an undesirable annual non-native grassland monoculture.

It is believed that natural fire regimes played a significant role in preventing juniper from invading neighboring shrub-steppe plant communities. While natural disturbance regimes remained intact, the presence of juniper was limited to rocky outcrops, low sagebrush communities, and other areas that had low fire frequencies. Over the last century, however, fire suppression, land management practices, and climatic shifts enabled juniper populations to expand.

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It is apparent that the semi-arid plant communities found within the UDRMP area can be negatively impacted by juniper encroachment. Competition for light, water, and nutrients can drive grasses and forbs from invaded sites. As juniper densities increase, even native shrubs can be displaced. If invaded sites are located on slopes, the loss of understory plant species can stimulate soil erosion. Once this occurs, it can be very difficult to reestablish native plant communities even when juniper is removed by cutting or burning methods.

It is possible that many of the plant communities subjected to juniper invasion within the UDRMP have crossed a threshold, resulting in floral changes that are often irreversible. Corresponding invasions of exotic annual grasses further complicate restoration efforts.

Service Recommendations:

Juniper cutting and burning activities should be closely evaluated on a site-by-site basis. This would enable the BLM to prioritize mechanical removal and burns on areas likely to respond favorably to prescribed disturbance, such as target sites still hosting adequate densities of understory perennial bunchgrasses. The Eastern Oregon Agricultural Research Center, based out of Burns, Oregon, has done a considerable amount of research on this issue and would be a valuable asset in assisting in prioritizing juniper control efforts and prescribing follow-up treatments to maintain or enhance the ecological integrity of impacted plant communities. As mentioned above, we recommend that BLM convene a committee to assess the restoration potential of each site, and the Service would like to participate on that committee.

Old-growth Juniper Woodlands: Treatment objectives for Alternative 7 are based on restoring historic condition and range of old-growth woodlands/savanna within the planning area. Treatments include: 1) treat larger acreages to expand current range of old woodlands towards historic range; 2) thinning young juniper establishing in the interspace between the older trees; and 3) managing for reestablishing old-growth juniper in areas that they once existed. Field surveys and historical accounts should be used to estimate pre-settlement structure/composition of plant communities. The Service supports the proposed management of old-growth juniper within the planning area.

Livestock Grazing

The Service recognizes that livestock grazing is not an action being analyzed under the UDRMP. Livestock grazing is distributed across the Planning Area. Heavy grazing diminishes food supply and cover necessary for wildlife conservation and results in degraded habitats. BLM Rangeland Health Standards are a key mechanism for evaluating sage grouse habitat conditions. The Service would like the opportunity to work cooperatively with the BLM when assessments for rangeland health are being conducted within the range of the sage grouse.

Species of Concern

Oregon Spotted Frog and Riparian Habitat: The Service is concerned with potential project impacts to the Oregon Spotted Frog (Rana pretiona) (spotted frog), a candidate for listing under the Endangered Species Act. Spotted frogs are almost entirely aquatic dependent, generally

found in or near a perennial water body including shallow water zones with abundant emergent or floating aquatic vegetation. Populations have been declining throughout most of its range, primarily due to the filling of shallow wetlands, degradation and fragmentation of habitat as well as the introduction of exotic predators. It is estimated that spotted frogs have disappeared from more than 80 percent of their original range. Activities that can adversely impact spotted frogs and their habitat include loss and degradation of habitat, exposure to contaminants, and exotic species introduction. A survey of the Deschutes basin failed to find spotted frogs at historic sites between Sunriver, Oregon, and the Columbia River (Hayes, 1997). Spotted frogs are present within the La Pine Management Area of the UDRMP (Bowerman and Flowerree, 2000).

The Service appreciates the opportunity to work with you on habitat management for long-term conservation of the spotted frog in UDRMP waterways.

Service Recommendations:

The EIS should analyze direct, indirect and cumulative effects on riparian and shallow water zone health, restoration, retention and expansion in regards to livestock management, wildland and prescribed fire activities, realty transactions, contaminants use, and exotic species introduction and control as they relate to spotted frogs and spotted frog habitat. Additional information regarding the current status of the spotted frog population, maps of known oviposition sites and habitat condition monitoring data along waterways within the Planning Area would be useful in assessing project impacts to this species.

Bald and Golden Eagles: Bald eagles were listed under the Endangered Species Act as an endangered species in the conterminous United States on March 6, 1967. The Pacific Northwest Management Unit of bald eagles were subsequently down-listed to threatened status on February 14, 1978. Bald eagles within this management unit have achieved most recovery goals for delisting. Within the planning area, bald eagles are generally associated with rivers and reservoirs, while golden eagles prefer open country. Nesting behaviors for both bald and golden eagles typically begin in January, followed by egg laying and incubation from February to March. Young are reared throughout April, May, and June. Fledging occurs in July and August. Both eagle species are primarily predators but also opportunistic scavengers. Management plans for bald eagles winter roosts and nest sites have not been developed by the BLM to assist in the long-term maintenance (e.g., protection for disturbance) and restoration of these critical habitats.

The Service is especially concerned about the un-authorized harassment of a golden eagle nest site from OHV users, and potentially others, along the Millican Road within the Millican Plateau. The legislative approved reconstruction and paving of the Millican Road raises additional concerns and management issues on the long term maintenance of this key habitat as a result of increases in truck traffic and OHV use adjacent to the nest.

Service Recommendations:

Develop eagle management plans for the maintenance (e.g., protection from disturbance) and restoration of these important habitat areas.

Pygmy Rabbit: As stated in the UDRMP, populations of pygmy rabbit have been declining thought its range. Within the planning area, pygmy rabbits are most closely associated with areas supporting tall, dense clumps of Great Basin sagebrush. During most of the year, the pygmy rabbit feeds almost exclusively on the leaves of Great Basin sagebrush. However, during summer, grass may account for up to 30-40% of the diet. Loss of favorable habitat to agriculture, over-grazing, and conversion of sagebrush to exotic grasslands presents a threat to the species. Roads and cleared areas seem to be barriers to dispersal.

Service Recommendations:

We recommend that BLM conduct surveys for pygmy rabbit within suitable habitat to determine if an existing population is extant within the Planning Area. Any newly found populations should be protected and monitored.

Pronghorn Antelope: Cumulative effects of the combined activities on BLM-administered lands, and actions on other lands in and immediately adjacent to the planning area, are expected to result in a decline in pronghorn habitat quality and in the numbers of pronghorn in the Bend-Redmond, Mayfield and Millican Plateau geographic areas. This expected decline would be due to anticipated high levels of motorized use associated with high densities of roads and trails, and other impacts resulting in habitat loss, degradation, and fragmentation. Pronghorn habitat quality and numbers of pronghorn are expected to remain stable in the Badlands, Horse Ridge, North Millican and South Millican geographic areas. Recent past and current vegetation management efforts have contributed and likely will continue to contribute to suitable pronghorn habitat conditions in these areas.

Service Recommendation:

The Service is concerned with the low level (46 percent) of pronghorn antelope year round habitat that is proposed to be included within primary wildlife emphasis areas. We recommend that BLM include a higher level (above 70 percent) of year-round habitat within the primary wildlife emphasis area. We are available to work with you on this issue.

We also recommend that BLM, in partnership with other State and Federal agencies, develop a multi-species habitat conservation strategy which includes; pronghorn antelope, sage grouse, mule deer, elk and golden eagles within and adjacent to the UDRMP. The strategy should address habitat quality and quantity, travel corridors, winter range, seasonal use areas, social conflicts and environmental constraints related to wildlife, and the goals and management direction outlined in the UDRMP.

Oregon Military Department Use

Alternative 7 allows for expansion of military training from the existing 29,744 acres to 50,600 acres (13 percent of the Planning Area). The UDRMP states that "Alternative 7 also promotes the restoration of the area by making additional lands available for permanent and temporary use". Please clarify what is meant by this sentence. It is our understanding that the general logic is that spreading the impact across a larger area would reduce the concentration of the impact on a single area. Three rotational training areas would be designated and available for

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training for an estimated three years per area (totaling 20,054 acres). Appendix A of the UDRMP states that the rotational training areas would be selected from BLM lands that have been previously disturbed, are overused and in need of restoration. The Service is concerned that the Preferred Alternative will increase the impact of military training on wildlife and their habitat across a significantly larger area. There is not sufficient information to determine whether the three year rotational scheme will allow the vegetation and damage to soils sufficient time to recover. The UDRMP states that the military could provide funding to help restore areas that are "heavily impacted by recreational activity", to restore soil conditions, juniper removal, road rehabilitation, assist BLM in deterring vandalism, and clean up of dumping across a broader area. We are unable to determine the effectiveness of this proposed mitigation to utilize military funds and partnership to restore and revegatate areas due to the lack of information in the UDRMP as to what this proposal consists of.

Service Recommendation:

We recommend that the EIS include: 1) a complete analysis of the direct, indirect, and cumulative impacts associated with the military activities including long term affects of tracked vehicles and other training activities on soils, vegetation, and wildlife, including impacts to pronghorn antelope winter range; 2) a description and assessment of the success of the mitigation restoration that has been completed by the military on the existing training facility; and 3) specific mitigation measures proposed to offset impacts, including the projected acreage of restoration that is anticipated will be implemented on a yearly basis. This information should include generalized restoration plans including: a) plant species to be used, and from where the genetic stock is derived; b) patch size and density of planting consistent with the vegetation community to be restored: c) planting methodology including time of year; d) control of exotic vegetation; and d) monitoring and reporting. We recommend that locally collected native seed be used in the revegetation efforts.

We recommend that the BLM impose restrictions on the use of areas that are heavily impacted by recreational activity or dumping, rather than relying on the military to mitigate those impacts.

We appreciate the opportunity to comment on the UDRMP. The Service supports the BLM's efforts to provide a comprehensive framework for managing the BLM-administered public lands. We would like to work with BLM to further protect and enhance fish and wildlife species and their habitat in Central Oregon. If we can be of any assistance, or if you have any questions regarding these comments, please contact me or Jerry Cordova at (541) 383-7146.

Attachments

cc: Brian Ferry, ODFW, Prineville, OR Glen Ardt, ODFW, Bend, OR

References

Bowerman, J. and L. Flowerree. April 2000. A survey of the Oregon spotted frog in the area between Sunriver and La Pine, Oregon. Prepared for the U.S. Fish and Wildlife, Oregon Department of Fish and Wildlife, and Sunriver Owners Association.

Hayes, M.P. 1997. Status of the Oregon spotted frog (*Rana pretiosa* sensu stricto) in the Deschutes Basin and selected other systems in Oregon and northeastern California with a range wide synopsis of the species' status. Final report prepared for the Nature Conservancy under contract to the US Fish and Wildlife Service, 26000 SE 98th Avenue, Suite 100, Portland Oregon, 97266. 57 pp. +appendices.

Rowland, M.M., M.J. Wisdom, B.K. Johnson, and J.G. Kie. 2000. Elk distribution and modeling in relation to roads. Journal of Wildlife Management 64(3):672-684.

U.S. Department of the Interior. 1994. Sage grouse in the high desert of Central Oregon: Results of a Study, 1988-1993.

TABLE 1

Sage Grouse Habitat excluding Private Lands				Percentage of Total Habitat Acreage	
Yearlong Probable	1.8 g		46395 72072	39% 61%	
Total Acres		•	118467		

Road Density Acres of Sage Grouse Habitat excluding Private Lands Using ALL ROADS ANALYSIS

Road Density Category	Aoreage	Total Habitat Acreage
0 - 1.5 mi/mi²	36310	31%
1.5 - 2.5 mi/mi²	20987	18%
> 2.5 mi/mi ²	61171	52%

Road Density Acres of Sage Grouse Habitat excluding Private Lands

Using ARTERIAL, COLLECTOR, PRIVATE, AND PRIVATE ACCESS ROADS ANALYSIS

Percentage of

			. alacitm2 a.	
Road Density Category		Acreage	Total Habitat Acreage	€
0 - 1.5 mi/ml ²	•	72002	61%	
1.5 - 2.5 mi/mi ²		23987	20%	
> 2.5 mi/mi²		22478	19%	

Sage Grouse Habitat (Both Yearlong and Probable) Listed by Recreation Management Area

NAME			Acreage	
Badlands WSA			1353	1%
Horse Ridge	•		22813	19%
Millican Plateau			7045	. 6%
North Millican			47853	40%
Prineville Reservoir			21272	18%
Research Natural Area	•	•	608	1%
South Millican			17607	15%
Total			118552	

TABLE 2

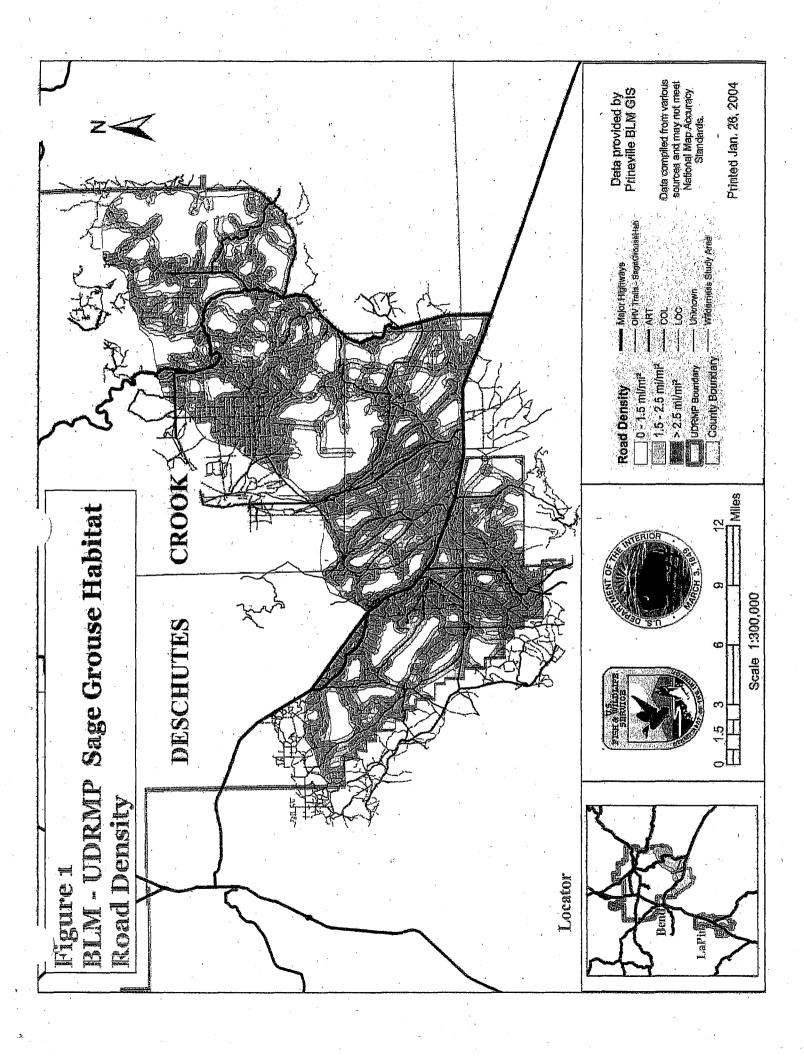
Road Density of Sage Grouse Habitat (Both Yearlong and Probable) Using ALL ROADS ANALYSIS Listed by Recreation Management Area

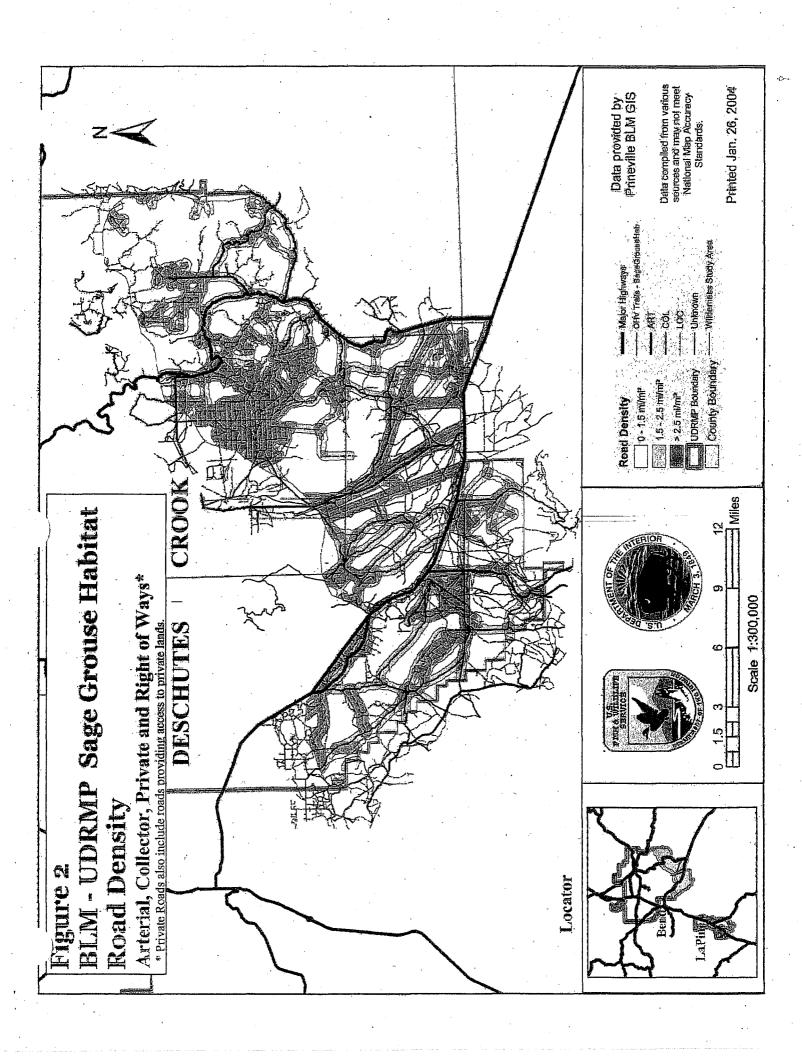
	•	•	Percentage of
NAME	Road Density Category	Acreage	Total Habitat Acreage
Badlands.WSA	0 - 1.5 mi/mi²	728	1%
	1.5 - 2.5 mi/mi²	106	0%
·	> 2.5 mi/mi²	512	0%
Horse Ridge	0 - 1.5 mi/mi²	6009	5%
	1.5 - 2.5 mi/mi²	4574	4%
•	> 2.5 mi/mi²	12200	10%
Millican Plateau	0 - 1.5 mi/mi²	3578	3%
	1.5 - 2.5 ml/mi²	996	1%
	> 2.5 ml/mi ²	2463	2%
North Millican	0 - 1.5 mi/mi²	13909	12%
	1.5 - 2.5 mi/mi²	9034	8%
	> 2.5 mi/mi²	24907	21%
Prineville Reservoir	0 - 1.5 mi/mi²	9973	8%
	1.5 - 2.5 mi/mi²	4266	4%
	> 2.5 mi/mi ²	7026	6%
Research Natural Area	0 - 1.5 mi/mi²	106	0%
• •	1.5 - 2.5 mi/mi²	124	0%
•••	> 2.5 mi/mi²	379	0%
South Millican	0 - 1.5 mi/mi²	2007	. 2%
	1.5 - 2.5 ml/mi ²	1887	2%
	> 2.5 mi/mi²	13684	12%

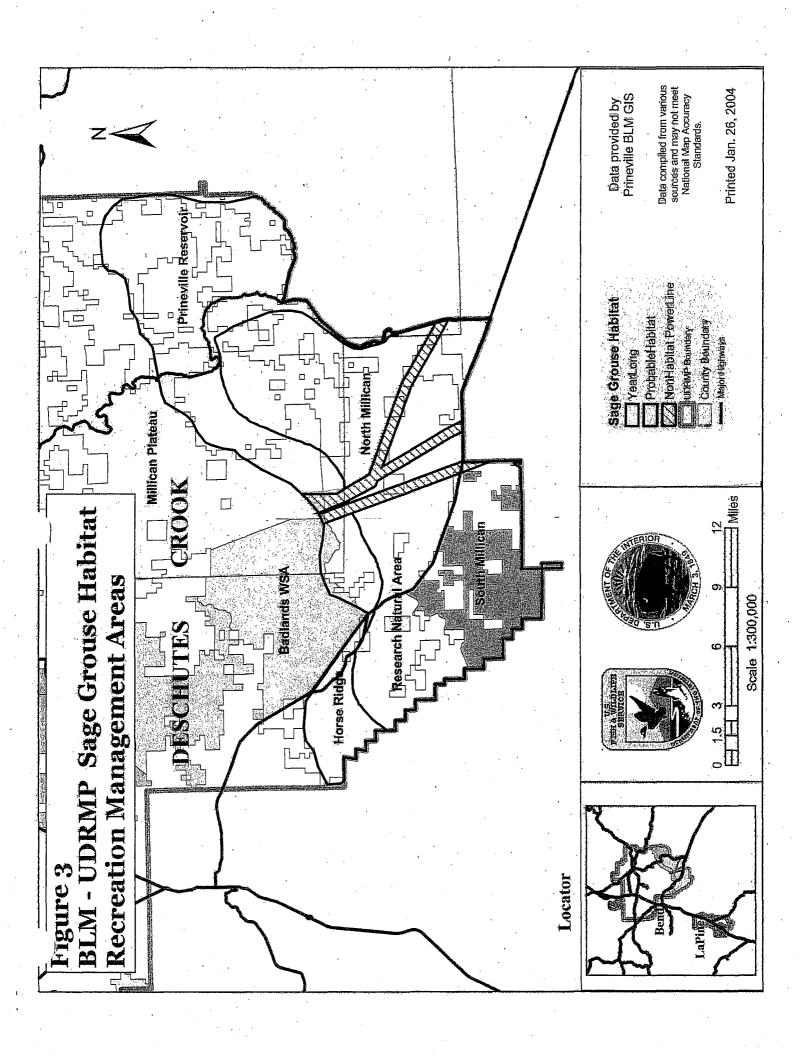
TABLE 3

Road Density of Sage Grouse Habitat (Both Yearlong and Probable)
Using ARTERIAL, COLLECTOR, PRIVATE, AND PRIVATE ACCESS ROADS ANALYSIS
Listed by Recreation Management Area

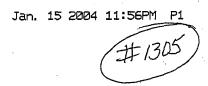
			Percentage of
NAME	Road Density Category	Acreage	Total Habitat Acreage
Badlands WSA	0 - 1.5 mi/mi²	728	1%
	1.5 - 2.5 mi/mi²	207	0%
	> 2.5 mi/mi²	416	0%
Horse Ridge	0 - 1.5 mi/mi²	11416	10%
•	,1.5 - 2.5 mi/mi²	5458	5%
	> 2.5 ml/mi²	5910	5%
Millican Plateau	0 - 1.5 ml/mi²		4%
	1.5 - 2.5 mi/mi²	1184	1%
•	> 2.5 ml/ml²	1465	. 1%
North Millican	0 - 1.5 ml/ml²	26477	22%
	1.5 - 2.5 mi/mi²	11966	10%
	> 2.5 ml/mi²	. 9406	8%
Prineville Reservoir	0 - 1.5 mi/ml²		15%
	1.5 - 2.5 ml/mi²	2074	2%
	> 2.5 mi/mi²	1527	1%
Research Natural Area	0 - 1.5 mi/mi²	522	0%
	1.5 - 2.5 mi/mi²	56	0%
	> 2.5 mi/mi²	30	0%
South Millican	0 - 1.5 mi/mi²	10803	
•	1.5 - 2.5 mi/mi²		
	> 2.5 mi/mi ²	3724	3%







FAX NO. : 541-382-9372





Wildlife Management Institute

20325 Sturgoon Road ◆ Bend, Oragon 97701 Phone (541) 330-9045 ◆ FAX (541) 382-9372 E-mail - wmibd ◆acl.com

ROBERT P. DAVISON
Field Representative
ROLLIN D. SPARROWE
President
RICHARD E. McCABE
Vice-President

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JAN 1 5 2004

BLM PRINEVILLE DISTRICT

January 15, 2004

Bureau of Land Management 3050 NE Third Street Prineville, OR 97754

Attention: Teal Purrington

To Whom It May Concern:

I am writing to submit the comments of the Wildlife Management Institute (WMI) on the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement (Plan). WMI, founded in 1911, is a private, nonprofit, scientific and educational organization staffed by experienced natural resource professionals dedicated to improving the management of wildlife and wildlife habitat in North America.

WMI commends the Prineville District staff for their extensive and lengthy collaborative efforts with a diverse array of interests and government agencies in development of the draft Plan. In our view the process used to develop the draft Plan was a fair and open one that allowed those involved to learn from others and understand their perspectives. This model effort helped to result in a high quality product.

The range of alternatives presented in the draft Plan adequately addresses the issues in the planning area. Of these alternatives, WMI believes that the Preferred Alternative (Alternative 7) presents the best vision for future management of BLM lands in central Oregon and represents the best balance of land uses. Key components of this vision for WMI are an emphasis on management of vegetation and wildlife source habitats to restore an historic range of variability and the high proportion of lands managed for ≥70 percent habitat effectiveness. In many respects, the management choices represented in Alternative 3 would be most beneficial to wildlife and wildlife habitat. However, in our view, Alternative 7 achieves most of those benefits in a manner that better balances multiple uses of the land. We are particularly pleased that common to all alternatives in the draft Plan is a commitment to implement the Greater Sage Grouse and Sagebrush Steppe Ecosystems Management Guidelines (BLM IB No. OR-2000-334).

Bureau of Land Management January 15, 2004 Page 2

Other than restoration of sage stoppe habitats, the main issue facing sage grouse and pronghorn in the planning areas is the negative impacts of motorized travel. For deer and clk, the most important issue is to address the negative impacts of motorized travel during the winter. The southeast portion of the planning area provides the only habitat within the planning area for sage grouse and provides some of the most important habitats for elk, deer and pronghom. Because this area also is among the most popular for motorized recreation, the potential for adverse effects to wildlife is greatest in this portion of the planning area. The approach taken in Alternative 7 to implement a road and trail system in North Millican that reduces road and trail density to no greater than 1.5 miles per square mile and, equally importantly, emphasizes retention of large, unfragmented blocks (preferably 2000 acres or greater) of habitat throughout the area is essential to achieving the wildlife goals of the Plan. In the interim while this road and trail system is developed and other existing roads and trails are closed and rehabilitated, we support Alternative 7's retention of existing seasonal closures (December 1 through April 30). Further, we suggest a cautious adaptive management approach to shifting from seasonal closures to limits on motorized road and trail density in North Millican. The initial transition from seasonal closures should limit road and trail density to loss than I mile per square mile and should be accompanied by carefully designed and implemented monitoring. In South Millican, it is key to the Plan to retain the existing seasonal closure (closed to motorized use from December 1 through July 31).

A key issue that WMI believes is not addressed adequately by Alternative 7 or any of the other alternatives is an overarching issue that is integral to all issues: "How will the extent of Plan implementation and its effectiveness in resolving identified issues be determined?" Monitoring and documenting the BLM's progress toward full implementation of the draft Plan must be addressed far more thoroughly. Such monitoring should provide information on whether actions called for in Plan decisions actually have been implemented.

Of equal or greater importance is monitoring designed to provide information on the effectiveness of actions when implementing Plan decisions. Effectiveness monitoring methods and standards should be structured to respond to the issues and concerns expressed by the public. It should, for instance, respond to the question of "whether the land use plan decisions and NEPA analysis are still valid" and whether "the allocations, constraints, or mitigation measures [are] effective in achieving objectives."

Effectiveness monitoring and evaluation should be explicitly integrated with Plan actions and accompanied by a commitment to establish thresholds for various resource parameters that have been identified as triggers or indicators that a new decision is required. These triggers should be derived from the desired future conditions set forth in the Plan. We recommend that this process, which provides an objective, science-based means of determining whether a new plan decision is required, should be used in any alternative selected for the final Plan. This kind of sequential reappraisal of land use decisions is necessary to make the planning process a credible protection mechanism for the public's broad interest in the affected resources.

FAX ND.: 541-382-9372

Bureau of Land Management January 15, 2004 Page 3

We believe all monitoring upon which decisions are based should be a rigorous process designed to meet site-specific needs. This process should include obtaining accurate and current data; construction of hypotheses related to implementation and effectiveness of aspects of the Plan; design of monitoring protocols to provide information relative to testing these hypotheses; and adaptive management protocols in response to monitoring and hypothesis test results. In short, management under the Plan should be conducted as an experiment so that ten years from now we will have learned as much as possible about the effects of our land management activities. We encourage the BLM to secure funding to improve on this important aspect of planning and Plan implementation. We also recommend that the Plan have an annual monitoring plan.

Thank you for a job well done and for your consideration of our comments on issues to be addressed in the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement. Please ensure that we receive a copy of the final Plan/EIS.

Sincerely,

Robert P. Davison, Ph.D.
 Northwest Field Representative

To:

Teal Purrington & Robert Towne

To: Teal Purrington

RECEIVED

1/15/04

From: Paul Hatcher

53656 Huntington Rd La Pine, OR 97739-9650

&

16086 Park Dr.

La Pine, OR 97739-9679

JAN 1 5 2004

BLM PRINEVILLE DISTRICT

Subject: Comments to the Upper Deschutes Resource Management Plan & EIS

I would recommend the following changes:

Map 13 & 14 (T21S & T22S by R10E & R11E) should change from either a "Limited to Designated Roads Only Year Around" and "Limited to Designated Roads and Trails Year Around" **to** *Limited to Designated Roads Seasonally* and *Closed from December* 1st to April 30th. Either alternative is fine with these modifications.

Map 20 or 21 are great, which ever Alternative is chosen for the greater La Pine area.

Map 29 & 30 are great as-is for the greater La Pine area.

Comments for Map 31 through 34 are dependent on which alternative is chosen for the greater La Pine area:

Map 31: I have no comment other than Alternative 2's Zone 2 & 3 designation are a good planning.

Map 32: Alternative 3 is okay. Please do not expand the Community Expansion south of the existing Urban Growth Boundaries of La Pine. There is a nice boundary that is appealing to the eye and for the wildlife transition area.

Alternative 4, I disagree with. Eliminate zone 2 and replace it with zone 1. Zone 3 and the Community Expansion I think are good.

Map 33: Alternative 5 & 6 are not conducive to the growth and well being of the community of La Pine or the wildlife I feel.

Map 34: I think is the best choice with a small change. Reclassify the parcels west of the current Urban Growth Boundary (T22S & R10E) from a zone 1 to either a zone 3 or community expansion.

Map 37 &/or 38: I am not sure how to put this other than, property north of Burgess Road (Wickiup Junction) and east of the Little Deschutes River to Hwy 97 should be CAFD on BLM property (T21S & R10E & R11E). There are homes located near or adjacent to BLM property that have been in harms way during target practice and during

hunting season. The line of sight is impossible to see past a few hundred yards. I personally have cattle on my ranch and I move them out of harms way.

I ended up with a dead buck on my property and when the State Trooper was called I was informed that it could be very difficult to catch poachers in this area. It is also hard to determine if poaching is occurring when it is difficult to determine if it is only target practice.

Per Alternative 7 you might want to consider maybe "Preferred Alternative - Closed to Firearm Discharge unless Legally Hunting" on BLM.

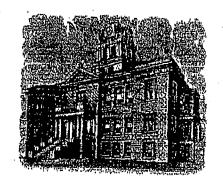
The reason for the last statement is shooting of a shotgun for the taking of quail, squirrel, etc. would not cause harm as would bow hunting would not cause harm to personal property either.

I definitely do not want to limit people, including myself, the right to shoot those Gophers and moles on their property.

Help of any kind would be appreciated. Call anytime for clarification.

Thanks for the opportunity,

Paul Hatcher (541)536-2891



Crook County dup 1362 N.B. 3rd Street · Prinevill-

No.1214

P. 1

300 N.B. 3rd Street • Prineville, Oregon 97754 Phone (541) 447-6555 • FAX (541) 416-3891

RECEIVED

JAN 1 5 2004

FAX

BLM PRINEVILLE DISTRICT

	TO: AHEN BARON &	Bail-Mony Chandet
	LOCATION: B.L.M.	
,	FAX#: 416-6798	4 *
-	FROM: JUDGE SC	<u> </u>
	DEPT.: (ROOK () BI	esty Cerust
	LOCATION: CROOK C	COUNTY - PRINEVILLE, OR
	FAX#: 541-416-3891	OFFICE <u>541-447-6555</u>
	NUMBER OF PAGES:	INCLUDING COVER SHEET.
	TIME SENT: A. M. 12.10	P.M DATE SENT: 1-15-04
	MESSAGE:	(X) ACTION INFO (V) DIV. ASSOC. DM
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		DISTRICT FIANGER FIELD SERVICES
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-		FIRE & AVIATION
:		CENTRAL OREGON
		DESCHUTES
Scott R	. Cooper. Judge • Mike McCabe County	Commissioner • Mike J. Molan County Commission
		BEADING FILE



Crook County

300 N.E. 3rd Street • Prineville, Oregon 97754 Phone (541) 447-6555 • FAX (541) 416-3891

January 15, 2004

U.S. Bureau of Land Management Prineville District Office ATTN: Teal Purrington 3050 NE Third St. Prineville, OR 97754 RECEIVED

JAN 1 5 2004

BIM PRINEVILLE DISTRICT

Dear Ms. Purrington,

The Crook County Natural Resources Planning Committee—a broadly representative group of agency personnel, business, community, agricultural interests, timber and environment/conservation interests appointed by and serving at the pleasure of the Crook County Court—has prepared the attached comments regarding the BLM Upper Deschutes Basin Resource Management Plan. By consensus, the group has adopted these comments. It is my pleasure to forward these additional comments to you to supplement the comments previously filed by Crook County.

Sincerely,

Scott R. Cooper

Crook County Judge

cof R. Con

Cc: Crook County Commissioners

Ms. Lynn Anglund, Crook County Natural Resources Planning Committee Mr. Mike Lunn, Crook County Natural Resources Planning Committee Baron Bail, Robert Towne, Molly Chaudet, Prineville District BLM

CROOK COUNTY, OREGON NATURAL RESOURCES PLANNING COMMITTEE

Comments on Draft Environmental Impact Statement Upper Deschutes Resource Management Plan

January 15, 2004

Background - The Crook County Natural Resources Planning Committee (CCNRPC) was established by County Order 2002-72 on September 4, 2002. Its 25 members represent a diverse cross-section of the citizens of Crook County. Membership includes foresters, silviculturists, wildlife and fisheries biologists, agriculture scientists, range conservationists, large and small business people, farmers and ranchers, environmentalists and citizens-at-large. A key purpose is the cooperation and collaboration with federal agencies in order to further considerations of important issues of Crook County Customs, Culture and Economy. Our comments are provided in that spirit.

Public Participation — We commend the BLM for the extensive efforts they have made to involve citizens through its various Issue Teams, RAC's, etc. This has clearly been beyond the normal approach, and beyond the minimal requirements of law and regulation. In some respects, the public involvement early on was found by participants to be cumbersome and complicated, at least through the development of Issues. One suggestion we would offer is to work closely with Dr. Laura Van Riper, of the National Riparian Service Team, on a system of follow-up interviews from those who closely participated and others. It will be important to document "lessons learned" and ways to continue the strong efforts at involving the public while also reducing some of the more burdensome and time consuming parts of the process. This information should be shared with the Ochoco NF, which is soon to begin its own LMP Amendment processes.

Range – Given the importance of livestock operations in Crook County, we have specific concerns with some of the proposals. This month, proposed regulations were released for administration of grazing permits, and while they will not be final for several months, the UDRMP FEIS is even further out into the future. Our assumption is that development of those regulations will be closely followed during the continuing work on the FEIS to insure the FEIS and regulations are compatible.

The matrix in the DEIS that includes the range health analysis, grazing demand, and conflict with other use information seems to have been a good analysis tool for this planning effort, but should not automatically be considered adequate where different conditions of resources and grazing activities occur. In UDRMP area, there are many small allotments that might lend themselves to voluntary closure. In areas dominated by larger allotments, such as contiguous resource areas, voluntary closures would be the exception. We also note that closures may be affected by the changing regulations.

We question whether mandatory or voluntary closures are in keeping with the proposed regulations, and the 10th Circuit Court of Appeals decision in Public Lands Council v. Babbitt, 929 F. Supp. The mandatory closures due to conflicts with other uses should be carefully considered, and all attempts made to provide for the forage needs of the dependent operators. It seems clear under current direction that suitable grazing land should be offered according to priority to qualified applicants. Uses such as "reserve forage allotments" will not be permitted under the revised regulations. For some areas, such as near La Pine, there is little or no demand for grazing areas due to lack of water and marginal economic conditions associated with grazing. While we understand some environmental groups seek to buy permits to retire them, this is specifically prohibited under the proposed regulations in keeping with Public Lands Council v. Babbitt, op cit.

OHV — We believe that recreational use of OHV is a growing and legitimate use of many, but certainly not all areas of our public lands. In general, we support the direction contained in alternative 7, which attempted to work out resource conflicts with OHV uses by separating uses and designating motorized trail systems and specific areas where OHV recreation can occur. At the same time, we find that OHV use potentially can be one of the most destructive uses of public lands if it is not carefully controlled and managed. Unfortunately, many of the commercial advertisements for OHV's are irresponsible, depicting SUV's, 4-wheelers and other vehicles traversing streams, wetlands, mountain terrain and other sensitive environments simply as a challenging activity, and ignoring the potential effects on plants and animals. This carries over to many in the user community.

We recognize that many riders/drivers are responsible, and avoid sensitive areas and follow the rules. We also know that many of the organized groups and associations-promote responsible behavior, and work with the agencies to provide enjoyable outdoor experience and protect the environment. And we also believe that OHV use is an activity that has grown rapidly in the past few years, and is largely uncontrolled across the public lands and National Forests in central Oregon. Given the dual potential for a) providing some outstanding recreational activities and b) damaging lands and disrupting populations of plants and animals, a most important focus of this plan needs to be on clear management direction and well-implemented and enforceable management tools.

We have little reason to believe the BLM has the financial or staffing ability to implement the major changes envisioned by Alternative 7. It calls for reducing or eliminating use in some areas and constructing extensive networks of new and loop trails in other areas. On its face, this sounds good, but what assurances exist that the trail and area closures can be enforced or regulated? The DEIS contains no clear monitoring plan describing how it will be determined how well natural resource and OHV objectives are being me, or what happens if they are not achieved. Without the reduction in use that is called for in some areas, the problems will simply be expanded by opening or improving other areas, which has been the history of the Millican OHV area. We recommend that a Cooperative Agreement, with funding by BLM, be developed with the Crook County Sheriff to fund additional patrols, including OHV patrols in key areas to increase enforcement. This is particularly needed to reduce violations of State law, such as

littering, vehicle operation and registration, and wildlife harassment (this has been reported to ODFW/OSP/BLM).

Further, we would urge that the closures and other regulation changes be implemented and monitored before extensive investment in new development. Citizen/user groups should be involved in monitoring to bring transparency to the decision-making process.

Last, we noted that the definition of "non-motorized recreation emphasis" on page 33 is poorly worded and not understandable.

Social and Economic — The DEIS is deficient in identifying the costs and benefits of the various alternatives as they apply to Crook County. While there is some information about the different socio/economic conditions applicable to Deschutes County and Crook County, there seems to be little explanation about how those Counties are affected by the separate alternatives. Crook County has shown recent growth along with our neighbors, but our values remain largely rural and agrarian. Protection of open spaces, local businesses, and family are important, and separate us from our rapidly growing neighbors. We will never have the kinds of recreation developments as those year-round large scale opportunities near Bend, such as ski areas and other winter sports developments, mountaineering, etc. Prineville Reservoir is our major destination recreation area, and we have supported certain continued development in that area. But by and large, the citizens of Crook County and other users tend towards more undeveloped uses including fishing, hunting, and firewood gathering, hiking, driving for pleasure and OHV use.

Unemployment in Crook County is among the highest in the State, and it would be helpful to show how the various alternatives contribute to the creation of jobs, particularly in the contracting area.

Management of Invasive Junipers — We support the juniper control work proposed in Alternative 7, but prefer to see management of old-growth juniper on the basis of stands and not individual trees. For example, in treating invasive juniper to restore suitable habitat for sage grouse, we recommend removal of all trees in the treated area to reduce perch trees for predatory birds. Leaving trees of "old-growth form" in those areas reduces the effectiveness of the restored habitat.

There are many areas where treatment of juniper for restoration, firewood harvest, or any other purpose will be economically and/or physically impractical. Those are largely the isolated patches or rim rock type habitats where older juniper frequently occurs, and management for old stands is logical in those areas. Given the extensive acreages of invasive juniper in Crook County, priority areas chosen for restoration should be treated to minimize juniper stems of all sizes and age classes.

Millican Road — While this road decision was removed from the EIS process by legislative direction, the BLM needs to be aware and plan for the changes in use that will develop once the reconstruction and paving is completed. Granted, there will be

extensive truck traffic on the route, but increasing numbers of recreationists of all kind will likely use the more easily accessible area for hunting, rock-hounding, hiking, biking, OHV, etc. This could increase conflicts with wintering game populations and special species such as sage grouse. Impacts and changing management conditions from this improved transportation facility does not seem adequately considered in the DEIS.

Firearm Use — We support the EIS direction to reduce indiscriminate shooting in areas close to population development. Another step that might be taken would be the creation of a local rifle/shotgun range close to Prineville through special use permit or concessionaire. The Redmond Gun Club is relatively close and available, but having a local range might reduce some of the dispersed plinking, and increase safety of public lands users.

Garbage Dumping – Dumping of garbage is a perennial problem on public lands, and part of our concern about inadequate levels of funding and staffing for enforcement. Several considerations should be made to reduce this abuse. Cooperative funding for the Crock County Sheriff to increase patrol density would help, since garbage dumping is a violation of both federal and state laws. The County has indicated a willingness to set up a "free dump" day at the County landfill in conjunction with organized clean-up efforts for the public lands. There is opportunity to use inmates from the local youth correctional facility for clean-up under agreement with the BLM to extend the clean-up efforts. Educational efforts to make people aware of the extent of dumping should be undertaken. Partnerships with local companies should be undertaken to remove larger metal dumps, such as refrigerators, old cars, etc. Once cleaned, efforts should be made to restrict access to the more heavily abused areas. In some cases such as the Crooked River corridor, volunteer groups could pick up and consolidate trash to be removed by helicopters during fire crew training. We recommend increased emphasis and direction for protecting our public lands from this obnoxious type of violation.

Transportation System Planning – The planning area is heavily roaded by all levels of routes, ranging from collector systems to user created "ways." This extensive road system reduces the effectiveness of wildlife management attempts, and we encourage the BLM to consider seasonal and area closures and other techniques to reduce the conflicts with wildlife. Achieving the desired habitat effectiveness of 70% on many key areas will be difficult or impossible without further access restrictions.

Thank you for the opportunity to comment on the Upper Deschutes Resource Management Plan DEIS. Our committee remains very interested in the outcomes of this plan and potential effects on customs, culture and economy of our County. We hope to be further involved as the work proceeds toward a final EIS and decision, and would offer to help convene and/or work directly with other affected interests in considering responses to substantive comments and resolving issues.

Lyand Angland

Chairyoman





Purrington/PRFO/OR/BLM/DO

To upper_deschutes_rmp@or.blm.gov

CC

01/15/2004 12:46 PM

bcc

Fw: Oregon Military Department Response and Comment on Subject

the UDRMP-EIS

Forwarded by Teal Purrington/PRFO/OR/BLM/DOI on 01/15/2004 12:45 PM ---



<William .McCaffrey@or .ngb.army.mil> 01/15/2004 11:27 AM

To: upper_deschutes_RMP@or.blm.gov

cc: Teal_Purrington@or.blm.gov, Mike_Williams@or.blm.gov, Marci_Todd@or.blm.gov, Mike.Caldwell@mil.state.or.us, David.Ferre@or.ngb.army.mil, Gerald.Elliott@or.ngb.army.mil, I.clark@odf.state.or.us, Scott.Haynes@or.ngb.army.mil, David.Duncan@or.ngb.army.mil, James.Rejzek@or.ngb.army.mil

Subject: Oregon Military Department Response and Comment on the

UDRMP-EIS

Teal,

Attached are two documents containing the Oregon Military Department's response during the public comment period to the BLM's Upper Deschutes Resource Management Plan and Environmental Impact Statement (UDRMP-EIS). The first document is the cover letter, which has been signed by the Acting Adjutant General, and the second document containing a detailed list of response comments. The original hard copy with signature is being mailed and postmarked this day. Copies of this response are being provide to Mr. Jim Brown and Mr. Lance Clark of the Oregon State Governor's Office.

Please contact me should you have any questions regarding this information.

<<04-01-14 OMD Comments on BLM DRAFT UDRMP-EIS.doc>> <<04-01-14 OMD Comments on BLM DRAFT UDRMP-EIS.doc>>

"Justitia et fortitudo invincibilia sunt."

/s/ Bill McCaffrey William F. McCaffrey Geomorphologist AGI-Environmental Office JFHQ - ORNG - US Department of the Army 503-584-3545 DSN: 355-3545



04-01-14 OMD Comments on BLM DRAFT UDRMP-EIS.doc 04-01-14 OMD Comments on BLM DRAFT UDRMP-EIS.doc



Teal Purrington/PRFO/OR/BLM/DO

CC

01/15/2004 12:46 PM

bcc

Fw: Oregon Military Department Response and Comment on Subject the UDRMP- EIS

upper_deschutes_rmp@or.blm.gov

Forwarded by Teal Purrington/PRFO/OR/BLM/DOI on 01/15/2004 12:46 PM -----



<William.McCaffrey@or .ngb.army.mil> 01/15/2004 11:50 AM

To: upper deschutes RMP@or.blm.gov

cc: Teal Purrington@or.blm.gov, Mike Williams@or.blm.gov, Marci_Todd@or.blm.gov, Mike.Caldwell@mil.state.or.us, David.Ferre@or.ngb.army.mil, Gerald.Elliott@or.ngb.army.mil, l.clark@odf.state.or.us, Scott.Haynes@or.ngb.army.mil, David.Duncan@or.ngb.army.mil, James.Rejzek@or.ngb.army.mil, heather@networld.com, Daniel.E.Persson@mil.state.or.us, Donald.Bond@or.ngb.army.mil, Mark.Rathburn@or.ngb.army.mil

Subject: RE: Oregon Military Department Response and Comment on the

UDRMP-

Teal,

My error, attached is a copy of OMD's cover letter.

<<04-01-15 OMD Response Letter to BLM.doc>>

"Justitia et fortitudo invincibilia sunt."

/s/ Bill McCaffrev William F. McCaffrey Geomorphologist AGI-Environmental Office JFHQ - ORNG - US Department of the Army 503-584-3545 DSN: 355-3545

----Original Message----McCaffrey, William F OR-ARNG > From: > Sent: Thursday, 15 January, 2004 11:27 > To: 'Upper Deschutes RMP' 'Ms. Teal Purrington, BLM'; 'Mr. Mike Williams, BLM'; 'Ms. Marci > Todd, BLM'; Caldwell, Mike; Ferre, David OR-ARNG; Elliott, Gerald E OR-ARNG; 'Mr. Lance Clack, ODF'; Haynes, Scott B OR-ARNG; Duncan, David OR-ARNG; Rejzek, James OR-ARNG Subject: Oregon Military Department Response and Comment on the UDRMP-EIS Teal, > Attached are two documents containing the Oregon Military Department's > response during the public comment period to the BLM's Upper Deschutes > Resource Management Plan and Environmental Impact Statement (UDRMP-EIS). > The first document is the cover letter, which has been signed by the > Acting Adjutant General, and the second document containing a detailed

list of response comments. The original hard copy with signature is being

04-01-15 OMD Response Letter to BLM.doc





OREGON MILITARY DEPARTMENT

HEADQUARTERS, OREGON NATIONAL GUARD OFFICE OF THE ADJUTANT GENERAL 1776 MILITIA WAY P.O. BOX 14350 SALEM, OREGON 97309-5047

January 15, 2004

Ms. Teal Purrington
Bureau of Land Management
3050 NE Third Street
Prineville, Oregon 97745

Dear Ms. Purrington:

In response to the public comment period for the Bureau of Land Management's Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement (UDRMP-EIS), and as a cooperating agency, the Oregon Military Department presents the following general comments and the attached detailed list of review comments on the Draft UDRMP-EIS. The Oregon Military Department provides its reserved endorsement of the UDRMP-EIS and specifically a reserved endorsement of the BLM's preferred alternative, Alternative 7. The Oregon Military Department has reservations concerning the UDRMP-EIS and the alternatives based on what this Department interprets as weaknesses and inconsistencies within the UDRMP-EIS.

The goal of the Oregon Military Department is to obtain a long-term land use agreement with the Bureau of Land Management for the cooperative use of the Biak Training Center in central Oregon. The Oregon Military Department requires a maneuver training area within the State of Oregon to train mechanized, mounted and dismounted National Guard units to support their State and Federal missions. Currently the Oregon Military Department has no other comparable training site to the Biak Training Center in Oregon. Comparable out of state maneuver training areas are cost prohibitive and movement times to and from such out of state locations result in the loss of effective training time and will increase maintenance costs on vehicles and other equipment, resulting in an overall decrease in the effective readiness of Oregon National Guard units to fulfill their mission requirements. The indirect consequence of the loss of effective maneuver training land within Oregon is a decrease of the Oregon National Guard's readiness to meet State and Federal missions and emergency plans. Consequently the BLM's proposed action affects the overall public health and safety and negative effects on National Guard readiness may present inconsistencies with State and Federal plans and programs. The BLM's purpose and need statement regarding the Oregon Military Department and National Guard inadequately addresses this goal.

As a cooperating agency, representatives of this Department have repeatedly stated, through the BLM's Issue/Interest Team, the BLM's Interagency Interdisciplinary Team, and the South Redmond Area Collaborative Planning Group, this Department's position that we cannot effectively evaluate a land allocation decision by the BLM without also knowing the specific Terms and Conditions to be placed on military training activities. This Department considers the land allocation, the length of the land allocation agreement, and the specific Terms and Conditions of use as being intrinsically related. However as a cooperating agency, this Department had no visibility or input into the development of the BLM's Management Direction contained in Volume III of this UDRMP-EIS and was afforded no

opportunity to review or comment on BLM Management Direction until this public comment period. Based on a meeting with Mr. Barron Bail, BLM District Manager, in 2003 we were under the impression that this Department would be afforded the opportunities normally associated with common courtesy of a cooperating agency. This was not the case with respect to Volume III that contains the standards and guides of this plan. While the Oregon Military Department supports the general BLM intent and goals established for the UDRMP-EIS, there are a number of inconsistencies and problems that still need to be clarified and resolved. For example, in the BLM's management direction statements common to all alternatives, both in Volume II and III, the Bureau states that any military land use agreement will ensure consistency with "environmental requirements". Yet the BLM does not provide a complete listing of those "environmental requirements". Another example, while the BLM provides for the allocation of remote rotational training areas in Alternatives 6 and 7, within the Standards and Guides contained with Volume III, the BLM designates the Steamboat Rock area as being "closed to full size vehicles", thus simultaneously closing this area to most potential military training activities. Consequently, the Oregon Military Department will have to further assess the viability of using this area to determine if it meets the needs of the Oregon National Guard. Likewise, BLM designates other lands for military use but then under BLM recreational or transportation management direction also either restricts off highway vehicle use to designated roads and trails or designates most roads for potential closure, effectively cutting access to those areas at some future time. Based on these examples, the Oregon Military Department can provide only a limited and reserved endorsement of the BLM's Draft UDRMP-EIS as currently written.

The Oregon Military Department requests that the BLM meet and consult with this Department to resolve and clarify issues regarding the Draft UDRMP-EIS. The Department requests, in accordance with 43 CFR §1610.3, that the BLM Area Manager notify and identify for this Department inconsistencies between the UDRMP-EIS and related National Guard and State "plans, policies, or programs". We will continue to cooperate with the BLM to identify the inconsistencies within the plan and work to resolve them in a manner consistent with the stated requirements and the needs of this agency. I am forwarding copies of this letter to Mr. Jim Brown and Mr. Lance Clark of the State Governor's office.

Sincerely,

RAYMOND C. BYRNE JR. Brigadier General Acting Adjutant General

Enclosure

Van Garaga	Asal Saux Paris		pagagaga Badicali dalah	Volume I		
Vol	Page	Para.	Sent.	Comment		
I	xxiii	2	Eliteri Storica addieni sad	Oregon Military Department (OMD) agrees with the BLM's statement that OMD has land		
1	222211	~		management responsibilities within the planning area, specifically the Biak Training		
				Center, and will be using this environmental analysis to support future OMD or Oregon		
1		Ì	}	National Guard (ORNG) decisions.		
MARKET	xxxi		_	OMD agrees with the BLM's guidance statement providing for long-term shared use of		
	ii			BLM administered lands by the ORNG		
				OMD agrees with BLM's rationale for identification of the preferred alternative to meet		
	XXXV	5	3			
				"long-term military training needs" are concerned in so far as the land allocation decisi is identified within the preferred alternative. While this document develops "Standards		
				and Guides" regarding that long-term use, it does not identify for the OMD what training		
				activities would be considered appropriate in the future for any specific land area.		
	2246 W.No.		avastnadini.	Volume II		
Vol:	Page	Para.	Sent.	Comment		
II	8	2	2-3	While OMD agrees with the BLM's statement that high road and trail densities "can"		
"	O	2	2-3	break up wildlife habitat, the numeric density threshold and extent to which primitive		
[[roads and trails do break up wildlife habitat in the UPDRMP high desert environment is		
			İ	not clearly understood. Additionally, OMD believes that frequency of use, as addressed in		
'				the next paragraph, is also a factor but that these factors are interrelated, are semi-		
				dependent variables, and could be inversely related.		
	13	4-6		OMD believes that this "Purpose and Need" statement regarding the "Oregon Military		
		, 0		Department and National Guard" is inadequate. The statement does not identify the need		
				of the OMD to maintain a large training maneuver area within the State of Oregon for the		
			-	purpose of training National Guard troops and maintaining troop readiness in support of		
	٠ ا			State and national missions to include State emergencies effecting the public health and		
			ļ	safety. This purpose and need statement does not identify the issue that there is no		
	- ====			comparable maneuver training area within the State of Oregon. The purpose and need		
				statement also inadequately addresses the need for a long-term (30 year) land use		
				agreement for training lands in order to appropriately obtain congressional funding to		
			.	adequately resource the Training Center in terms of program, manpower, and equipment.		
	ĺ		-	Programs include the Integrated Natural Resource Management Plan for the purpose of		
				maintaining the natural setting of the Training Center, the Integrated Cultural-Resources		
			j	Management Plan the protection of archeological resources, and the development of the		
			į	Integrated Wildland Fire Management Plan for the protection of resources and the local		
HOLDE BY	-10			communities from wildland fire.		
	13	5	2	Change sentence to read as follows: "Noise and dust from training may disturb"		
	23	7	1	Change sentence to read as follows: "The Oregon Military Department recently completed		
	ļ		}	both an Integrated Natural Resources Management Plan and an Integrated Cultural		
Market San				Resources Management Plan that guide their resource activities within the permit area."		
	26	7	3	Change sentence to read as follows: "Public land use supports the military training		
		·		purposes of the Biak Training Center where those activities are consistent with public		
			ľ	natural and cultural resource objectives and provide a reliable long-term land base for		
	26	7		training operations." Change name to read: "Biak Training Center". This may be a global change within the		
	26	7	3	documents.		
319,4554	39	4	5	See comment above for Volume I, page xxxv, paragraph 5, sentence 3.		
- 14 THE						
	53	7	-	OMD agrees with BLM's general management direction statement common to all		
				alternatives with respect to "Military Uses". However, OMD requests BLM to clarify or		
				reference in this statement the source or location of the "environmental requirements" within this document or the procedures to establish such in the future before OMD can		
				knowingly fully accept this management statement.		
				knowingry turry accept uns management statement.		

Vol.	Page	Para.	Sent.	Comment 3	
II	80	1	5-6	This Wagon Roads ACEC management direction is consistent with the Biak Training Center's current INRMP, ICRMP and SOP regarding the Horner Road and can be extended by OMD to the Bend-Prineville Road. Current Biak SOP calls for a restriction on the Horner Road to light wheeled vehicles only and in convoys of four or few vehicles	
15 (15) NAVIONALISMO				together.	
	80	2	3-4	Historic and current BLM and OMD management allows for military off road wheeled vehicle use in the vicinity of these roads. OMD requests the continuation of this management policy and in turn can provide for additional specific mitigation actions within the Wagon Roads ACEC. Such a variance within this ACEC would be consistent with management direction common all action alternatives described on page 87. Such a continuation is also consistent to BLM's Allowable Uses as identified in Volume III, page 54, bullet 4.	
	. 87	4	2	Change this sentence to read as follows: "Common to Alternatives 2-7 would be the use of at least a minimum of 21,000 acres within the core area of the Biak Training Center for long-term military use.	
	87	4	2	See comment above for Volume II, page 26, paragraph 7, sentence 3, globally change "BIAK training center" to read "Biak Training Center" in all documents.	
	97	1	2	This BLM management policy is consistent with OMD Special Use Permit Terms and Conditions and Biak Training Center SOP that already prohibits military training activities on the public lands with live (projectile firing) ammunition.	
	112	7	1	See comment above for Volume II, page 53, paragraph 7. OMD requests BLM to clarify or reference in this statement the source or location of the "environmental requirements" or the procedures to establish such in the future before OMD can knowingly fully accept this management statement.	
	113	2	- .	The italicized title to this paragraph should be deleted. The paragraph does not address area "classification type" or "type of training" as suggested by the title.	
	113	- 2-	2	This sentence should be moved to the following "Buffer Areas" paragraph and changed to read as follows: "The Training Center boundary shall include a ¼ mile wide buffer inside the boundary when that boundary is in direct contact with or within a ¼ mile proximity to private property. Military training activities will be restricted to light dismounted training activities within this buffer zone and there shall be no discharge of blank ammunition within the buffer zone. This buffer zone however does not preclude vehicle movement to or from the Training Center along OMD-BLM designated roads through the buffer zone for access purpose to the Training Center."	
	113	3	-	OMD suggests moving this entire paragraph on "buffer areas" to page 53 and place this paragraph under "Military Uses" under Management Direction Common to all Alternatives.	
	118	2	5	Change this sentence to read as follows: "Alternative 3 would provide about 8000 less acres for long-term military training." Delete that portion of the sentence stating that this is "roughly the same boundaries compared to Alternative 1".	
	131	7	1	OMD does not concur with or support BLM Alternative 3. OMD considers Alternative 3 as not meeting the purpose and need. See comment above regarding Volume II, page 13. As noted in the BLM's analysis of environmental consequences, Volume II, page 463, rehabilitation efforts will be impaired and the quality of the natural resources will be reduced and negatively impacted to unmanageable levels by Army and BLM standards.	
	131	7	-	OMD suggests the addition of a sentence to the end of this paragraph stating: "Public lands located immediately east of the airport but west of the Canal and adjacent to the OMD's Central Oregon Unit and Training Equipment site, which is OMD owned land, would be retained as part of the Biak Training Center".	
	138	2	6	Change this sentence to read as follows: "Alternative 4 would decrease the available area for long-term training from Alternative 1, the existing condition, by approximately 3,500 acres."	

Vol	Page	Para.	Sent.	Comment	
I	149	2-4		OMD does not concur with or support BLM Alternative 4. OMD considers Alternative 4	
**	147	2-7	_	as not meeting the purpose and need. See comment above regarding Volume II, page 13.	
i i				As noted in the BLM's analysis of environmental consequences, Volume II, page 463,	
				rehabilitation efforts will have to be "more intensive" and consequently more prone to	
] }		·			
				failure and the quality of the natural resources will be reduced and negatively impacted to	
				unmanageable levels by Army and BLM standards. Additionally, the BLM states on page	
				463 that training activities "may be modified" without stating what will be the	
1				environmental requirements for this alternative which would require modification of	
BSB-GAN-HARDINGS)				training activities.	
	149	3	1	Change this sentence to read as follows: "Military use would be permitted as shown in the	
		لـــــــــــــــــــــــــــــــــــــ		Alternative 4 illustration on Map 35, Oregon Military Department Use Areas."	
	149	4	-	OMD suggests moving this entire paragraph on buffer areas to page 53 as per comment	
				above regarding Volume II, page 113, paragraph 3. In combining these paragraphs, OMD	
				also suggests deleting the following phase: "while equipment transport training are not".	
	166	4	_	OMD suggests deleting this entire paragraph per comments above regarding Volume II,	
		'		page 113, paragraph 3 and page 149, paragraph 4. OMD also suggests that to be consistent	
				between all alternatives, the buffer be retained a ¼ mile.	
	182	1		OMD is concerned about the appropriate military uses, local resident/community concerns,	
		•		and encroachment issues regarding rotation area #1, the Steamboat Rock area. This area is	
		}		split by Lower Bridge Road and is adjacent to the Deschutes Wild and Scenic River	
				Corridor and Crooked River Ranch. The OMD can identify no immediate training area	
	,		l	requirement for this land allocation but is willing to assess the potential for use of this area.	
			·	OMD's preference is to utilize areas 2 and 3. Areas 2 and 3 better fit within the design and	
			i	intent of OMD's future training activities noting that OMD used Area 2 during the 2002	
		·		brigade training exercise.	
OTHER RESE	182	1	$\frac{}{2}$	Change this sentence to read as follows: "Three rotational training areas would be	
	104	, ,	~		
				designated so that any one rotation training area would be available for training for a specific duration, estimated at three years per area".	
		5	[Also see comment above concerning this paragraph.	
SAME SAME	100		 -	Change this sentence to read as follows: "Military use would be allowed in those areas	
	182	2	1		
新教育的	107		+	identified for Alternative 6 as shown on Map 36." PLM should be aware and understand that the OMD only has limited recovered to provide	
	197	6_	2	BLM should be aware and understand that the OMD only has limited resources to provide	
SALES CALLED	100			restoration. OMD's commitment is to range rehabilitation post military training activities.	
	199	1	1	Change this sentence to read as follows: "Military use would be allowed in those areas	
				identified for Alternative 7 as shown on Map 36. The core training area under this	
Service Control		<u> </u>		alternative is approximately 27,934 acres."	
	199	2	-	See comment above regarding Volume II, page 182, paragraph 1. OMD's concerns here	
				remain the same as stated above for that section.	
	214	Table	· -	Under the heading of "Military" land uses, OMD requests that the BLM separate out the	
		2-1]	core training area land allocation and percentage from the rotational training area land	
			1	allocation in this comparison of alternatives. This separation will better serve the public in	
		ľ	[understanding the land area allocations between the alternatives, especially in regards to	
				Alternatives 6 and 7.	
	226	2	-	OMD requests that this discussion of the local area history include information regarding	
]	İ	military training use and development in central Oregon during World War II. For	
				example, the military developed or expanded many of the current airport facilities in use	
			1	by the local communities today. The military built many facilities still in use today, for	
		-	٠, ا	example the Great Hall at Sunriver. Such facilities owe their origin to historic 20 th century	
			1	military training activities in central Oregon and such activities provide economic input to	
			,	the local economy as well as supported national interests during wartime.	
	241	4	3	OMD requests that the BLM insert after this sentence, for public clarity and consistency	
	44 I	4	5	within this plan, a copy of the statement contained in the last sentence on page 356,	
				paragraph 4: "Typically, military activities do not impact old growth juniper trees or	
			ţ		
2. 新克勒克利				snags."	

/Vol.	Page	Para.	Sent.	Comment			
П	251	3	-	OMD requests that the BLM also include information here regarding the fact that the			
,				OMD cooperates with BLM management direction regarding control of noxious weeds			
				and that OMD annual funds a noxious weed abatement program in accordance with BLM			
730 Nasaran				management goals and direction.			
	287	1	-	OMD requests that the BLM also include information here regarding the fact that OMD			
			l	cooperates with the BLM fire management program, that OMD is required by the existing permit to provide for wildland fire protection for training areas in use during training			
				activities, and that OMD is currently working on an Integrated Wildland Fire Management			
				Program as part of its effort to improve interagency cooperation regarding wildland fire			
THE PERSON	200			control issues.			
	298	-		See comment above for Volume II, page 26, paragraph 7, sentence 3, concerning globally replacing "BIAK Training Center" with "Biak Training Center".			
VARAMENTO	298	3	3	Change this sentence to read as follows: "The current Training Center boundary is			
	270	5	3	displayed as Alternative 1 on Map 35."			
	298	5	5	Change this sentence to read as follows: "While use of the Training Center is expected to			
	ک ترک	ر	'	remain cyclical, the average annual training usage for the Biak Training Center is expected to			
				to range around 12,000 man-days per year or on average less than 70 days per year given			
		,		the current force structure within the Oregon National Guard. Of those 70 days, 15 days or			
		-		20 percent of the training days involve activities at developed training sites such as the			
				Brett Hall and the Central Oregon Unit Training and Equipment Site (COUTES) and			
				therefore occur on lands outside of the scope of the resource management plan."			
	299	3	- 1	OMD requests BLM to define and clarify the statement "There are also restrictions on use			
				of vehicles, excavation activity, and uses near private property".			
	299	4	-,	OMD requests that the BLM also include information here under the heading of			
				"Rehabilitation" that the OMD has both an Integrated Natural Resources Management			
	·			Plan and Integrated Cultural Resources Management Plan. The OMD is a cooperator in			
				BLM resource management goals and directions. The OMD rehabilitation program has been a long-term program with a continual expenditure of funds over the past 15 years.			
				The OMD's rehabilitation efforts are reviewed by BLM and use BLM prescriptions for			
				vegetation seeding. Under these programs, the OMD is a cooperator in noxious weed			
				control and under the requirements of OMD's land use permit with the BLM, OMD also			
	ļ			provides for wildland fire protection of training areas used during training activities.			
	316	8	1	Change this sentence to read as follows entering in the use of a colon: "The planning area			
				has existing withdrawals for:"			
	319	4	1	OMD request the BLM include the following sentence: "The OMD has an Integrated			
				Natural Resources Management Plan with the goal of protecting and preserving			
				archaeological resources from damage due to military training activities and cooperates			
				with the BLM's cultural resource management goals and direction."			
	322	2	3	OMD requests the BLM include the following sentence: "The OMD cooperates with BLM			
	.]		- 	management of these historic roads and has voluntarily within its SOP restricted military			
				traffic on the Horner Road by reducing the numbers and size of military vehicles allowed			
TERM OF				to use this route for training purposes."			

Vől.	· Page .	Rara,	Sental	Comment
II	356	2	rawa an ununggalah	OMD requests that the BLM identifies and includes under the topic of direct effects that
11	330		_	BLM actions have direct effect on the allowable area and type of military training
	4			activities to occur within that area. This indirectly affects the readiness and safety of
i I				soldiers in the performance of their state and national missions. Indirect effects also
ļi				include changes to existing OMD plans and programs in that new BLM requirements and
				environmental regulations will require OMD to update and change its existing plans and
				programs to conform to new BLM guidelines. While the BLM's plan focuses on direct
	1			and indirect effects to natural and cultural resources, a key element of NEPA is the
				determination of "the degree to which the proposed action affects public health and
				safety" (40 CFR §1508.27(b)(2)). The Oregon National Guard's readiness indirectly
			1	effects the public health and safety of the citizens of Oregon. Additionally, the BLM must
				advise the OMD within this plan of any inconsistencies between the UDRMP and ORNG
				plans in accordance with 43 CFR §1610.3-1 as well as identify those inconsistencies to the
1				Governor of the State of Oregon in accordance with 43 CFR §1610.3-2(e). Consequently,
			.	the OMD considers the BLM's development of the direct and indirect consequences of
	1			this plan on military readiness and the subsequent safety of the citizens of Oregon as being
				deficient.
	356	4	5	Change this sentence to read as follows: "Typically, military activities do not impact old
	220	'		growth juniper trees or snags." Also see comment above for Volume II, page 241,
				paragraph 4, sentence 3 concerning moving a copy of this statement and inserting it after
				that sentence 3.
	419	3	_	OMD requests BLM to include a statement that under the "Review Update of the 1995
		٥,		Federal Wildland Fire Management Policy" that the OMD/ORNG is preparing an
	•			Integrated Wildland Fire Management Policy for the purpose of improving interagency
	74			coordination and standardization in providing for wildland fire control and suppression.
				Additionally the OMD is required under its existing land use permit to provide for fire
				protection of training areas in use during periods of training activities.
	434	7	5	OMD requests the continuation of current BLM management policy in regards to military
	424	,	ا د ا	access to the Wagon Roads ACEC as per comment above for Volume II, page 80,
	\mathbf{p}^{r}	,		paragraph 2, sentences 3-4. Such a continuation is consistent to BLM's Allowable Uses
	,**			as identified in Volume III, page 54, bullet 4.
	461	1	3	OMD requests BLM to amend this sentence to include the following statement:
	401	. +	'	"Continuation of long-term use would be subject to periodic review of both the National
				Guard and BLM's standards and guidelines and review and monitoring of the National
				Guard's performance in meeting the standards and guides for the purpose of allowing for
				adjustments to training activities, mitigation programs, and overall State wide training
		. :		goals and strategy."
	161	Toblo	 	See comment above for Volume II, page 214, Table 2-1. OMD requests BLM to separate
	461	Table	-	out total acreage, core training area acreage from rotation area acreage and percentages,
		4-19		specifically for Alternatives 6 and 7, to clarify these points for the public.
AND THE STATE OF	160			
	462	-	-	OMD requests BLM to clearly identify inconsistencies between agency plans and
				activities, define environmental requirements for each alternative and clearly state what
				modifications to military training activities may be necessary. Refer to comment above
	1.55			on Volume II, page 356, paragraph 2.
	462	6	$\mid 1 \mid$	Change this sentence to read as follows: "Alternative 7 is similar to Alternative 6 except
	•			that lands south of the BPA power line corridor and west of the North Unit Main Canal
				and Pronghorn Resort Road are removed/eliminated from the Training Center.
	462	8	4	Change this sentence to read as follows: "With the exception of public lands immediately
TRUBERRANGES SEE				east of the airport and adjacent to OMD's Central Oregon Unit and Training and
	1			
				Equipment Site (COUTES), the military would probably replace training currently done
				Equipment Site (COUTES), the military would probably replace training currently done west of the North Unit Canal to the area north of Highway 126 to avoid conflicts with the Pronghorn Resort development."

. Vol.	Page	Rara.	Sent	Gomment		
П	463	8	3	Change this sentence to read as follows: "BLM and the OMD estimate that training would		
	-705	J		occur about 5 to 7 days per year in the rotational areas, which would reduce training days		
		f		on the core training area to an estimated 48 days per year."		
	464	1		This paragraph can be deleted since it is redundant to information contained within		
	707			Volume II, page 463, paragraph 8.		
	475	5&6	-	OMD requests that the BLM clarify this analysis of alternatives, identifying the		
		1		environmental requirements and restrictions being placed on military training activities		
				and identifying the inconsistencies between current planning and uses and those being		
				developed under resource management plan in accordance with 43 CFR §1610.3-1(c) and		
	'			§1610.3-2(e). This is particularly crucial in considering Alternatives 3 and 4. Refer to		
				comments and concerns expressed above for: Volume I, page XXXV, paragraph 5; and		
				Volume II: page 53; page 356, paragraph 2.		
	484	3&4	-	Ditto.		
	488	2&3	-	Ditto.		
	492	4&5	-	Ditto.		
	499	5&6		Ditto.		
	503	7	-	Ditto.		
	504	1				
	545	3	4	OMD requests the continuation of current BLM management policy in regards to military		
	7 15		.	access to the Wagon Roads ACEC as per comment above for Volume II, page 80,		
	İ		1	paragraph 2, sentences 3-4 and Volume II, page 434, paragraph 7, sentence 5. Such a		
			1	continuation is consistent to BLM's Allowable Uses as identified in Volume III, page 54,		
				bullet 4.		
	547	4	7	Change this sentence to read as follows: "Designating an adequate public land base for		
				long-term military training provides the OMD opportunity to apply for congressional		
			1	funding for major infrastructure development and projects to improve the Training Center;		
				with construction and a gradual increase in training activities, the economic benefits are		
			Ţ	expected to gradually increase above the 2002 level. Natural resource projects, including		
				range rehabilitation work and the development of an Integrated Wildland Fire		
				Management Program, which will improve wildland fire protection, will-provide additional economic benefit to the BLM and local community."		
	552	5	-	See comment above for Volume II, page 26, paragraph 7, sentence 3: Globally change "BIAK Training Center" to read "Biak Training Center".		
	552	5	4-5	Change this sentence to read as follows: "The Biak Training Center cannot qualify for		
	ا ۵۵۷	ا د	4-3	congressional funding of capitol improvement projects unless OMD obtains a long-term		
				land use agreement of at least 30 years. Such improvements and upgrades will qualify the		
				Training Center for a change in the National Guard Bureau's rating of the Training Center		
			. [from a local training center to an intermediate training center. This change in rating will		
				also enhance the OMD's ability to obtain additional funding for full time manpower and		
				equipment to staff the Training Center."		
	588	-		OMD recommends that the BLM include here a list of the Cooperating Agencies.		
		KINGSPERO KRASTIKAN		Volume III		
Vol.	Page	Para.	Sent.	Comment		
Ш	20	_	-	OMD concurs with Objective MU-1, the Rationale and Guidelines applicable to Objective		
	-			MU-1 with one caveat. OMD's representative has repeatedly stated OMD's position to		
				the BLM that OMD cannot adequately assess the land allocation decision of the BLM		
}	1		1	without also fully knowing the Terms and Conditions of such use. OMD continues to		
	}		1	express its opinion and concern that land allocation, the defined length of use, and the		
				Terms and Conditions of use are intrinsically related issues and cannot be adequately		
		1		assess without full knowledge or consideration of all those factors together. OMD		
		·	*2	contends that BLM cannot fully and knowledgeably identify inconsistencies between		
			1	BLM and OMD/National Guard plans and programs as required within 43 CFR §1610.3		
				without consideration of all three factors together.		

Vol.	Page	Para,	Sent	Comment	
Ш	20	8	1	See comment above regarding Volume III, page 20.	
	36	9	-	OMD concurs with this wildlife guideline to develop a habitat management plan in coordination with the BLM.	
	54	1		Third Bullet Statement: OMD concurs with this Wagon Road ACEC allowable use noting that the Biak Training Center's Standard Operating Procedure (SOP) already voluntarily restricts vehicle use along the Horner Road by limiting type and number of vehicles allowed. OMD requests that this management direction identified as "common" to all action alternatives be consistently identified and applied in Volume II: page 80, paragraph 2; page 434, paragraph 7; and page 545, paragraph 3. OMD also suggests that the second sentence of this bullet be changed to read as follows: "Locations where tracked vehicles would cross the historic roads will be determined in consultation with the Oregon Military Department."	
	64	-	-	OMD concurs with these BLM management objectives, rationale and guidelines.	
	77	••	-	OMD requests BLM under Guidelines for OHV Objective R-1 for the Bend/Redmond geographic area to state Guidelines applicable to military OHV use of the Biak Training Center and lands deemed appropriate for military training use. OMD cannot concur with this Objective without knowing the Terms and Conditions being applied to military use.	
	77	-	_	OMD concurs with BLM OHV management Objective R-2, the Rationale and Guidelines applicable to Objective R-2.	
	84		-	OMD requests BLM under Guidelines for OHV Objective R-1 for the Millican Plateau geographic area to state Guidelines applicable to military OHV use of the Biak Training Center and lands deemed appropriate for military training use. OMD cannot concur with this Objective without knowing the Terms and Conditions being applied to military use. See comment above regarding Volume III, page 77.	
	96	3		OMD concurs with BLM transportation management Objective TU-4. OMD requests BLM to identify consistencies and inconsistencies between this objective and OHV Objective R-1 for the Bend/Redmond and Millican Plateau geographic areas regarding off highway military training uses.	
	100	1	_	OMD concurs with BLM public health and safety Objective PHS-1, the Rationale and Guidelines.	
	112	6	-	OMD concurs with BLM military use management Objective 2MU-1.	
	112 -	- 9	-	OMD suggests that BLM move this paragraph regarding "Buffer Areas" to "Management Direction Common to All Alternatives" Volume III, page 20 under the subheading "Military Uses".	
	114	8	-	See comment regarding OHV Objectives above under Volume III, page 77.	
	117	9	-	Ditto.	
	125	1	-	OMD requests that the BLM identify which specific roads within the Training Center will be closed and what if any exemption the ORNG will be given to use such roads for training activities. OMD cannot concur with BLM transportation management Objective 2TU-5 without knowing the Terms and Conditions being applied to military use and without identification of any inconsistencies between BLM and OMD/ORNG plans and programs. Additionally, closure of all roads, to include military traffic, as designated on	
	100	,,,		Map S-2 will have detrimental effects on the ability of the ORNG to effectively use the Biak Training Center for military training activities. This issue is applicable to all BLM transportation management direction for all alternatives. OMD requests BLM consult and reach consensus with OMD prior to the determination of which roads are to be closed within areas designated as appropriate for military training activities.	
	139	5	-	OMD does not concur with BLM military use management Objective 3MU-4. OMD considers Alternative 3 as not meeting the purpose and need. See comment above regarding Volume II, page 13, page 131, and page 463.	
	141	4	-	OMD does not concur with BLM OHV management Objective 3R-1 for the Bend/Redmond geographic area. See comment above for Volume III, page 77 regarding OHV Objective R-1.	

Vol.	Page	Para.	Sent.	Comment		
III	145	3	_	OMD does not concur with BLM OHV management Objective 3R-1 for the Millican		
			·	Plateau geographic area. See comment above for Volume III, page 84 regarding OHV		
				Objective R-1.		
	151	9		OMD cannot concur with BLM transportation management Objective 3TU-6 without		
				knowing the Terms and Conditions being applied to military use and without		
	,			identification of any inconsistencies between BLM and OMD/ORNG plans and programs.		
	!			Additionally, closure of all roads to include military traffic as identified on Map S-3		
				would have detrimental effects on the ability of the ORNG to train on the Biak Training		
#14A4861	150			Center. See comment above under Volume III page 125 regarding road closures.		
	158	9	-	OMD does not concur with BLM military use management Objective 4MU-5. OMD		
				considers Alternative 4 as not meeting the purpose and need. See comment above regarding Volume II, page 13, page 149 and page 463.		
A Property	163	8		OMD does not concur with BLM OHV management Objective 4R-1 for the Millican		
	105	o l	_	Plateau geographic area. See comment above for Volume III, page 84 regarding OHV		
				Objective R-1.		
	169	5	_	OMD cannot concur with BLM transportation management Objective 4TU-6 without		
				knowing the Terms and Conditions being applied to military use and without		
				identification of any inconsistencies between BLM and OMD/ORNG plans and programs.		
				Additionally, closure of all roads to include military traffic as identified on Map S-4		
				would have detrimental effects on the ability of the ORNG to train on the Biak Training		
anapatan musi	100			Center. See comment above under Volume III page 125 regarding road closures.		
	177	4	-	See comment above, Volume III, page 112, paragraph 9, regarding "buffers". OMD also		
	170			suggests that to be consistent between all alternatives, the buffer be retained a ¼ mile.		
	179	6	-	OMD does not concur with BLM OHV management Objective 5R-1 for the Bend/Redmond geographic area. See comment above for Volume III, page 77 regarding		
			1	OHV Objective R-1.		
	183	3		OMD does not concur with BLM OHV management Objective 5R-1 for the Millican		
	105			Plateau geographic area. See comment above for Volume III, page 84 regarding OHV		
]			Objective R-1.		
	187	11	_	OMD cannot concur with BLM transportation management Objective 5TU-6 without		
				knowing the Terms and Conditions being applied to military use and without		
	<u> </u>	•		identification of any inconsistencies between BLM and OMD/ORNG plans and programs.		
				Additionally, closure of all roads to include military traffic as identified on Map S-5		
	Ì	Ì]	would have detrimental effects on the ability of the ORNG to train on the Biak Training		
	100			Center. See comment above under Volume III page 125 regarding road closures. OMD concurs with Military Use Objective 6MU-6 but requests that the BLM clarify its		
	. 196	3-5	- }	Guidelines. The OMD is not "adopting" lands for purpose of rehabilitation. The Army's		
				rehabilitation program is incidental and applicable only to lands that the military uses for		
)	· }]	training. Mitigation is a possibility but mitigation work must be clearly defined and		
				correlated to military training actions to offset the environmental consequences of those		
	Ì]		activities. See comment concerning Steamboat Rock area, Volume II, page 182,		
				paragraph 1.		
	198	8	-	OMD does not concur with BLM OHV management Objective 6R-1 for the		
		l	ļ	Bend/Redmond geographic area. See comment above for Volume III, page 77 regarding		
				OHV Objective R-1.		
	200	4	-	OMD does not concur with BLM OHV management Objective 6R-1 for the Millican		
				Plateau geographic area. See comment above for Volume III, page 84 regarding OHV		
	-202	- 11		Objective R-1. OMD corner concur with RIM transportation management Objective 6TH 6 without		
	203	11	_ [OMD cannot concur with BLM transportation management Objective 6TU-6 without knowing the Terms and Conditions being applied to military use and without		
	ļ	ļ		identification of any inconsistencies between BLM and OMD/ORNG plans and programs.		
				Additionally, closure of all roads to include military traffic as identified on Map S-6		
	ļ		ļ	would have detrimental effects on the ability of the ORNG to train on the Biak Training		
	ľ			Center. See comment above under Volume III page 125 regarding road closures.		
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Vol.	Page ii	Para	Sent.	Comment of the contract of the		
Ш	214	5	-	OMD concurs with BLM Military Use Objective 7MU-6 but requests that the BLM		
1				clarify its Guidelines, specifically vehicle use of the Steamboat Rock area. This		
l				alternative is OMD's preference among all alternatives.		
1900	214	7	_	4th Bullet regarding Steamboat Rock, closing this area to "full size vehicles" precludes this		
				area from any military training use and effectively closes this area to the military.		
17.11	218	3	=	OMD does not concur with BLM OHV management Objective 7R-1 for the		
				Bend/Redmond geographic area. See comment above for Volume III, page 77 regarding		
				OHV Objective R-1.		
	224	1	-	OMD does not concur with BLM OHV management Objective 6R-1 for the Millican		
			'	Plateau geographic area. See comment above for Volume III, page 84 regarding OHV		
				Objective R-1.		
	231	9	- .	OMD cannot concur with BLM transportation management Objective 7TU-6 without		
				knowing the Terms and Conditions being applied to military use and without		
				identification of any inconsistencies between BLM and OMD/ORNG plans and programs.		
				Additionally, closure of all roads to include military traffic as identified on Map S-7		
		,		would have detrimental effects on the ability of the ORNG to train on the Biak Training		
	, -			Center. See comment above under Volume III page 125 regarding road closures.		

				VolumeI			
Vol	Page	Para.	Sent.	Comment			
I.	xxiii	2	_	Oregon Military Department (OMD) agrees with the BLM's statement that OMD has land			
The Man		ļ [—] .		management responsibilities within the planning area, specifically the Biak Training			
	M			Center, and will be using this environmental analysis to support future MD or Oregon			
]	34			National Guard (ORNG) decisions.			
22.127	xxxi			OMD agrees with the BLM's guidance statement providing for long-term shared use of the			
	ii			BLM administered lands by the ORNG			
		\					
	XXXV	\`\5	3	OMD agrees with BLM's rationale for identification of the preferred alternative to meet			
		N. A.		"long-term military training needs" are concerned in so far as the land allocation decision			
		,		is identified within the preferred alternative. While this document develops "Standards			
			1	and Guides" regarding that long-term use, it does not identify for the OMD what training			
	San Carrey, E. Talason	National Williams of Press	A COLOR STATE OF THE STATE OF T	activities would be considered appropriate in the future for any specific land area.			
	1945			Völüme II			
Vol.	Page	Para.	Sent.	Comment			
$\mid \Pi \mid$	8	. 2	2-3	While OMD agrees with the BLM's statement that high road and trail densities "can"			
				break up wildlife habitat, the numeric density threshold and extent to which primitive			
				roads and trails do break up wildlife habitat in the UPDRMP high desert environment is			
}				not clearly understood. Additionally, OMD believes that frequency of use, as addressed in			
	i			the next paragraph, is also a factor but that these factors are interrelated, are semi-			
				dependent variables, and could be inversely related.			
	13	4-6	-	OMD believes that this "Purpose and Need" statement regarding the "Oregon Military			
				Department and National Guard" is inadequate. The statement does not identify the need			
				of the OMD to maintain a large training maneuver area within the State of Oregon for the			
		4		purpose of training National Guard troops and maintaining troop readiness in support of			
				State and national missions to include State emergencies effecting the public health and			
				safety. This purpose and need statement does not identify the issue that there is no			
		/ -		comparable maneuver training area within the State of Oregon. The purpose and need			
				statement also inadequately addresses the need for a long-term (30 year) land use			
				agreement for training lands in order to appropriately obtain congressional funding to			
	ļ			adequately resource the Training Center in terms of program, manpower, and equipment.			
		,		Programs include the Integrated Natural Resource Management Plan for the purpose of			
				maintaining the natural setting of the Training Center, the Integrated Cultural Resources			
				Management Plan the protection of archeological resources, and the development of the			
	. 1			Integrated Wildland Fire Management Plan for the protection of resources and the local			
				communities from wildland fire.			
	13	5	2	Change sentence to read as follows: "Noise and dust from training may disturb"			
	23	7	1/	Change sentence to read as follows: "The Oregon Military Department recently completed			
		į	/	both an Integrated Natural Resources Management Plan and an Integrated Cultural			
			/	Resources Management Plan that guide their resource activities within the permit area."			
	26	7	/ 3	Change sentence to read as follows: "Public land use supports the military training			
				purposes of the Biak Training Center where those activities are consistent with public			
				natural and cultural resource objectives and provide a reliable long-term land base for			
				training operations."			
	26	17	3	Change name to read: "Biak Training Center". This may be a global change within the			
	39/	4	5	documents. See comment above for Volume I, page xxxv, paragraph 5, sentence 3.			
**************************************	_ / _			OMD agrees with BLM's general management direction statement common to all			
	5/3	7	-	alternatives with respect to "Military Uses". However, OMD requests BLM to clarify or			
	/			reference in this statement the source or location of the "environmental requirements"			
	′			within this document or the procedures to establish such in the future before OMD can			
K. A. S. S.				knowingly fully accept this management statement.			

#1309

OREGON DIVISION OF STATE LANDS Policy and Planning Section

FAX



Date:	1-15-04	
Number of	pages including cover sheet:	8
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From:	hn Lilly	
		

To:		Silver in
Robert.	Towne,	BLM
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Phone:		
Fax phone:		
CC:		•
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Phone:	378-3805	

Please comment	Reply ASAP	For your review		☐ Urgent	REMARKS:
)	RECEIVED	;·			^
•	JAN 1 5 2004	. -			
	BLM PRINEVILLE DISTRICT		•		

1309



January 15, 2004

Robert Towne

Prineville District

3050 NE 3rd Street

Prineville OR 97754

Department of State Lands 775 Summer Street NE, Suite 100 Salem, OR 97301-1279 (503) 378-3805

FAX (503) 378-4844 www.oregonstatelands.us.

State Land Board

Theodore R. Kulongoski Governor

> Bill Bradbury Secretary of State

> Randall Edwards State Treasurer

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JAN 1 5 2004 ·

BLM PRINEVILLE DISTRICT

RE:

Draft Upper Deschutes Resource Management Plan and Environmental Impact

Statement

Deschutes Area Field Manager

USDI-Bureau of Land Management

Dear Mr. Towne:

Thank you for the opportunity to comment on the draft plan for this area.

In 1995 the Department (then known as the Division) and the Oregon state office of the BLM entered into an agreement (see attachment) concerning the disposition and selection of Oregon's remaining in lieu lands. As you may know these federal public domain lands are available to Oregon for selection in order to fulfill obligations stemming from the Oregon Admission Act of 1859. Once selected and patented to state ownership in care of the Department, these lands become assets of the Common School Fund to be managed to produce revenue to support K-12 schools in our state.

We note that all the alternatives provide for areas planned for "community expansion." These are lands that the Department considers as prime candidates for future in lieu selections. Therefore we respectfully request the Final Plan acknowledge the State of Oregon's right and interest to select such areas and the Bureau's obligation to assist in processing them to the Department.

If you have any questions about the Department's interests please contact me at 503- $378-3805 \times 281$.

Sincerely.

Assistant Director

CC: Ann Hanus, Director

> Steve Purchase, Assistant Director, Field Operations Nancy Pustis, Field Operations Eastern Region Manager

u oan 13 2001 00:53:20 HM FSI BLM-MOU-OR-940-9509

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JAN 1 5 2004

MEMORANDUM OF UNDERSTANDING

BETWEEN

US DEPARTMENT OF INTERIOR

BUREAU OF LAND MANAGEMENT-OREGON STATE OFFICE

and the

STATE OF OREGON

i in it.

BLM PRINEVILLE DISTRICT

<u>Purpose</u>

The purpose of this Memorandum of Understanding (MOU) between the Bureau of Land Management (BLM) and the Division of State Lands (DSL) is to establish procedural guidelines to complete all in-lieu or indemnity land selections to which the State of Oregon is entitled.

DIVISION OF STATE LANDS

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Authority

- 1. Revised Statutes 2275 and 2276, 43 USC 851, 852, as amended
- 2. The Federal Land Policy and Management Act of 1976 (FLPMA), 43 USC 1701
- 3. Oregon Constitution, Article VIII, Section 2 through 5

Background

- When Oregon was admitted into the Union, the enabling legislation (Act of February 14, 1859, 11 Stat. 383) granted Sections 16 and 36 of every township to the state for support of its public schools. If any of those lands had already been disposed of or were otherwise unavailable, the US government is required to indemnify the state for the losses pursuant to 43 USC §§ 851 and 852.
- The State of Oregon has currently received approximately 3.5 million acres of school land, including in-place and indemnity selections.
- In the late 1800's and early 1900's, the state sold some of the school sections to private citizens. It was later found that the state did not have title to some of these sections because they were not surveyed or located in national forests.

- ORS 273.620 provided that parcels of land in Sections 16 and 36 which were erroneously conveyed prior to 1916 could be reconveyed to the state by the present successors in interest in exchange for federal lands. ORS 273.620 was repealed on June 19, 1967, and replaced with ORS 273.356 et seq. Under the new statute, a grantee no longer has the right to make a selection of new land, but is entitled to a refund of the original purchase price plus interest.
- Under Section 8 of Chapter 422 [1967] Oregon Laws, the earlier law was modified to provide that grantees who had complied with ORS 273.620 prior to June 19, 1967, would continue to have the right to select lands pursuant to the provisions of the former statute.
- In 1968, the state applied for indemnity land from the BLM on behalf of itself and three applicants known as Ocean View, Baldwin, and Crater Title. The BLM rejected the applications based on its audit which showed that the state had overdrawn its entitlement. Oregon appealed the BLM's finding. In 1991, a final judgment in favor of the state was issued by the US District Court (see Exhibit A) State of Oregon v. BLM-USDI (85-646 MA).
- The court found that the state had a remaining entitlement of 5202.29 acres of school trust land. Subsequently, BLM has clearlisted 798.72 acres to the state. Therefore, the remaining entitlement is now 4,403.57 acres.

<u>Objectives</u>

The objective of this MOU is to facilitate and expedite the completion of all indemnity or in-lieu land selections.

- Meet the long-range management objectives of both agencies to resolve indemnity/in-lieu selections and issues in accordance with the 1991 court settlement;
- 2. Develop procedures for conveyance that are most expeditious and cost effective, while remaining within the constraints of existing laws, regulations and land-use plans or amendments: and
- 3. Convey all remaining indemnity selections to the state no later than April 6, 1996, in accordance with the direction of the Secretary of the Interior.

General Criteria for Indemnity or In-lieu Land Selections by State of Oregon

A. The DSL criteria are:

- 1. Lands with commercial, industrial, residential, or agricultural development potential within "path of progress" areas such as along the Interstate Highway 5 corridor, Central Oregon or coastal areas.
- 2. Forest land offering manageability and value comparable to existing common school trust forest lands.
- 3. Lands identified by DSL on behalf of other parties to which the State of Oregon has an obligation via previous land agreement or similar legally-binding obligation.

B. The BLM criteria are:

- Only unappropriated public domain lands may be selected. (O&C lands are not considered to be unappropriated public lands and are not selectable.)
- 2. Lands must be surveyed and described in accordance with the official plat of survey.
- 3. No lands mineral in character may be selected, except to the extent that the selection is made as indemnity for mineral base lands. BLM will be responsible for making the mineral in character determination for the base and selected lands.
- 4. Selected lands must be determined to be suitable for transfer to the State of Oregon and classified for disposal under section 7 of the Taylor Grazing Act of June 28, 1934 (43 USC 31f) and the procedures under 43 CFR 2400.
- 5. Generally, it is preferred that selected lands not be identified for retention in the BLM Resource Management Plans. Retention lands may be selected but final transfer may be contingent upon an amendment to the applicable plan.
- 6. Selected lands must be reviewed in accordance with NEPA, ESA, etc. and a finding made by BLM that disposal will have no significant impact.

Procedures

To carry out the objectives and follow the criteria for the indemnity or in-lieu land selection program, the following selection are agreed upon:

- 1. <u>Proposals</u>: The indemnity/in-lieu selections of the DSL will be timely processed by BLM according to the procedures for selection under 43 CFR Part 2621.
- 2. <u>Mineral Report/Environmental Assessments</u>: BLM will prepare these documents covering the resources on the BLM lands. When the environmental report is completed, DSL will be provided an opportunity to review and comment.
- 3. <u>Permits/Leases</u>: To the greatest extent possible, in-lieu/indemnity selections should not interfere with valid existing rights. Input from existing lessees or permittees will be obtained jointly by BLM and DSL as soon as possible and critical issues will be considered and resolved as appropriate.
- 4. <u>Improvements</u>: Improvements on BLM lands may be owned either by a permittee/lessee or the BLM. A record of privately-owned improvements will be provided to DSL if available to BLM. Title to the BLM improvements may be transferred to DSL and a list of these improvements and a copy of the authorization will be provided to DSL.
- 5. <u>Public Participation</u>: The DSL, as required in 43 CFR 2621.2, will publish a public notice of the proposed selection.
- 6. <u>Sensitive</u>, <u>Threatened and Endangered Plants and Animals</u>: BLM will coordinate with the US Fish and Wildlife Service on actions which may affect federally-listed species listed in the Endangered Species Act of 1973, as amended. DSL will coordinate with the appropriate state agencies pursuant to compliance with state T&E statutes.
- 7. <u>Cultural Resources</u>: BLM and DSL will seek to comply with the provisions of the 1982 Memorandum of Understanding regarding cultural resource management responsibilities.
- 8. <u>Water Rights</u>: All water rights shall be transferred to OSL. Where water uses occur without water rights, application for these rights shall be prepared by the BLM grantor in a form satisfactory to the Oregon Water Resources Department.
- 9. <u>Base Lands</u>: The final judgment issued by the US District Court in <u>State of Oregon v. BLM-USDI</u> (85-646-MA) concluded that there were 11.947.47 acres of unused base lands and 6.745.47 acres of overdrawn base lands, leaving a balance of 5.202.29 acres of land due to the State of Oregon as indemnity. Attached Exhibit B contains a list of the descriptions of the

11.947.47 acres of unused base lands). The Court did not provide any direction as to which particular unused base lands could be selected or which unused base lands would be used to offset the overdrawn base lands. Therefore, BLM and DSL agree that DSL may use any of the unused 11.947.47 acres as base lands to make its remaining selections. After all the selections are made, the remaining unused base lands will be used to offset the overdrawn base lands.

Page 7 of 8

BLM and DSL will evaluate the value of the base lands and selected lands and determine that they are of "roughly equivalent value" as provided in the US Supreme Court decision in <u>Andrus v. Utah</u>, 446 US 500 (No. 78-1522, May 19, 1980).

DSL may elect to "pool" all or portions of its unused base lands of a sufficient total value to select less acreage of public lands of a higher value, provided the total values of base lands and selected lands are determined to be of "roughly equivalent value." In other words, the remaining selections may be made on an equal value basis, rather than an equal acreage basis. Each clearlist issued will contain a value certification by BLM for both the base and selected lands.

10. The DSL shall attempt to complete all remaining indemnity selections as soon as is practical. The BLM shall attempt to complete all actions on these selections, including the conveyance of approved land selections in a timely and efficient manner.

Coordination

Formal and informal meetings between the designees of the DSL and BLM to exchange information, coordinate activities, develop procedures, expedite tasks, and facilitate achieving the purpose and objective of the MOU shall be held monthly with additional meetings scheduled as necessary or desirable.

Effective Date, Termination, Amendment

This MOU shall be effective upon approval by both parties and shall remain in effect until termination by mutual agreement or by either party upon thirty (30) days notice in writing to the other.

Amendments and supplements to this MOU are subject to the review and approval of the Director. Division of State Lands, and the State Director, Bureau of Land Management.

This MOU is subject to the laws of the State of Oregon, the laws of the United States, and the delegated authority assigned in each instance. Nothing in this MOU shall be construed as obligating either party, heretofore, the expenditure of funds or for future payment of money in excess of appropriations authorized by law.

Approved:

Elaine Zierinski

Oregon State Director

Bureau of Land Management

US Department to the Interior

John E. Lilly

Acting Director

Oregon Division of State Lands

J Director

Attachments

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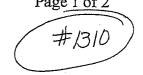
JAN 1 5 2004

Comment Form

BLM PRINEVILLE DISTRICT

For public input on the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement

Today's Date: 15 04 Your name (please print):		· .	·	•	
Your name (please print):					
Representing (put an X in one be	ox onl∜):	1			
Self only, or					
□ business, organization	, or agency (list):			
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Street Address, State, and ZIP:					
Phone: <u> </u>	E-r	nail:			
Important Privacy Notice: All be available for public review up planning process. However, as a All submissions from organization as representatives or officials of inspection in their entirety. If you name, put an X in this box:	oon request, and an individual yo ons or businesse organizations o	may be puble to can ask us es, and from it businesses,	ished by the lead to withhold you individuals id will be made	BLM during our name ar entifying the available fo	g the nd address. emselves or public
Comments:					



From: To:

<t.purrington@or.blm.gov>

Sent:

Wednesday, January 14, 2004 10:11 PM

Subject: Fv

Fw: Comments on BLM Upper Deschutes RMP/EIS

Teal:

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JAN 1 5 2004

BLM PRINEVILLE DISTRICT

Please ensure this email is part of the UDRMPEIS public comment record. Thanks —— Original Message ——

From: L To: BLM Cc:

Sent: Wednesday, January 14, 2004 10:09 PM

Subject: Comments on BLM Upper Deschutes RMP/EIS

Comment Form

Date: 1/14/04

Name:

Representing: ourselves

- 1. Overall Impression of Plan: Lot's of hard work and broad changes for public land management; the greatest strength and greatest weakness. We're hopeful BLM will take one bite at a time to accomplish an elephant of stasks and changes. Hopefully this team will rank all management actions by High: (1-3 years to implement, or continue implementing, Moderate: 3-6 years and Low: 6+ years(delete these?).
- 2. Monitoring. Very few agencies do it and fewer still do it well. Monitoring should be results oriented, to tell if a management action is working, needs modified or buried. Monitoring should be simple enough to track costs, progress and allow public to help, as appropriate. We hope the final Decision Record will provide direction that if, through monitoring, a management action is not working or needs to be modified, this can be done without having to do lots of NEPA, etc.
- 3. Law Enforcement: Needs to be used sparingly. The number of officers/ac. within the Prineville District is a very low number. They should only be used for high priority work in this planning area. This plan should allow for partnerships with county law enforcement.
- 4. BLM Transportation Plan: Plan needs to be tons stronger in emphasis on BLM getting funding for designated routes and trails of all types. BLM needs to aggressively pursue funding for designated route/trail creation, maint, and closure of unnecessary routes/trails. Look at the USFS/State Parks systems and other BLM districts that do this. Explore partnerships with USFS under COI.
- 5. Powell Buttes: We'd love to hike up to the BLM public lands but they are land locked. Please pursue getting non-motorized access to these scenic public lands.
- 6. Communication Towers: These structures can be very unscenic and detract from the scenic quality of BLM buttes, mountains, ridges, etc. They need to be limited and if BLM has to approve these things, they should be colored to blend in with landscape.
- 7. Commercial/Educational Recreation Use: This use should be limited, especially in BLM special management areas. If allowed, party size should be limited and BLM should limit # of various groups visiting a location at the same time. Week day use and not allowing commercial use on some weekends and holidays is appropriate. We would not like to see commercial use to BLM public lands not accessible to the public. This would be exclusive use which is not what "public land" is suppose to be.

- 8. Land Exchanges; We would like to see more public land on, of course, Powell Buttes and would recommend these lands be classified as Z-1 to increase chances this may occur. Although private inholdings surrounded by BLM are alot more expensive, I hope the team develops a priority list of desireable tracts to possibly acquire, beyond the Z-1 zones and the plan encourages Land & Water Conservation Funding.
- 9. Recreation Use: The proposed mix between motorized and non-motorized use areas is balanced. We support total non-motorized use for the Badlands WSA and other proposed non-motorized areas defined in Alt. 7, along with other areas open year round or seasonally for motorized use.

Mountain bike trails should also be open for hiking; exclusive use of a recreation activity should be very limited, vs, sharing trails. These public lands are public lands, not a user club lands. We hope local, state and federal partnerships are emphasized for both non-motorized trails and motorized trails and routes.

- 10. Shooting: Please keep closures limited. Total closure areas in plan seem resonable, along with seasonal closures. However, the plan should allow for changes in each of these areas, based on BLM monitoring and BLM abilility to enforce these closures. Please work closely with BLM law enforcement before finalizing these closures. Also need to be clearly identified on the ground so anyone will know what public land is closed.
- 11. Public access to Middle Deschutes and Lower Crooked Rivers. Please continue to work on getting more public access. Some adjacent private landowners would like to keep the public out of adjacent public lands. This is hogwash. Allow the public to hike into these canyon areas for enjoyment.
- 12. Minerals: Don't make collecting rocks against the law in dry river or creek beds by prohibiting digging rocks out of them. This sets a bad president for other public land digging areas; who will enforce this anyway?
- 13. Visual Resources/Scenic Quality: Our public lands, especially public lands that are elevated or in river canyon areas need to have their scenic quality protected and not mutilitated or degraded by vehicle or mountian bike trails or communication towers.

Over time, the visual scars on BLM landscapes increase. Please turn this trend around by including scenic resources in ANY proposal that may effect scenic quality.

Thank you for the opportunity to comment on this RMP/EIS. We appreciate the hard work that went into this plan. We are hopeful that the final decisions made are realistic, practical, enforcable and particularly understandable by BLM pulbic land users. Thank you for your time and the opportunity to comment on this plan/EIS.





"Eric Denzler" <ERIC@bendparksandr ec.org>

01/14/2004 03:07 PM

To: upper_deschutes_RMP@or.blm.gov

cc: robin_snyder@or.blm.gov
Subject: UDRMP Comments - Attn: Teal Purrington

Attached are comments (as a WORD document) regarding the UDRMP Draft. Signed hardcopy is in the mail today.

Eric Denzler, Recreation Program Coordinator Bend Metro Park & Recreation District



BLM Comments.doc





Bureau of Land Management

Attention: Mr. Robert B. Towne, Field Manager, Deschutes Resource Area

Cc: Teal Purrington 3050 NE Third Street Prineville, OR 97754

RE: Comments on the Upper Deschutes Resource Management Plan Draft

The following are suggestions for the management of recreation activities that we would like to see in the UDRMP draft under all of the alternatives proposed:

- 1. Begin to develop non-motorized trail systems for mountain bikers, hikers and other non-motorized users. Developed trail systems will benefit those recreational users who are mountain bikers, from out-of-the-area, casual or infrequent local visitors, or those who lack the skills to competently navigate the local terrain.
- 2. Specifically state that cross-country recreational travel on foot is allowed under all alternatives. Allow recreational users (including Special Recreation Permit holders) who are traveling on foot the same access to all areas, without restriction to designated roads and trails, that are open for mineral exploration, rock hounding, livestock grazing, and hunting.
- 3. Work with Special Recreation Permit holders and group users to educate them about wildlife, vegetation and habitat, archaeological, and other land management concerns, so that these areas can be avoided during sensitive times of the year. Commercial SRP holders can then provide a public service while protecting resource values and minimizing conflicts with other recreationists and adjacent landowners.

The arguments for these changes are as follows:

The Bend Metro Park & Recreation District has been leading recreation programs onto public lands for years under a Special Recreation Permit with the BLM. We believe that District programs allow local community members a low-impact, healthy way to explore and enjoy a wide variety of destinations on public land. Additionally, our programs provide a useful tool for educating new users about the fragile high desert ecosystem and how to practice Leave No Trace principles.

The vast majority of our use is during non-summer months by our adult hiking programs. Because our outdoor programs try to expose participants from the local community to a variety of destinations, we rarely visit any one BLM destination more than twice per year. We often go years between visits to many locations because BLM land is so expansive and established trails

are so few. Our experienced outdoor leaders often travel cross-country using GPS headings and occasionally follow existing tracks and trails.

There is no extensive established trail system currently in place, as this document recognizes, and the UDRMP does not give an accounting of the miles of currently established non-motorized trails in the study area. The document only notes that:

"Trail hiking opportunities on BLM administered lands in the planning area are limited by the lack of identifiable, designated and signed trails. Only a few developed and maintained hiking trails exist on BLM administered lands in the planning area..." (pg 307, Chap. 3, vol. 2).

Consequently:

"Over the short-term, all annual special recreation permits for trail use would not be renewed until such use was authorized on designated trails that are part of BLM's transportation system....However, this would also provide an impetus for trail designation in areas that currently do not have any identifiable trail systems." (pg. 479, Chap. 4, Vol. 2)

While all action alternatives call "for an increase in non-motorized trail development," it is unlikely that there will be a rapid development of an extensive non-motorized trail system for many years due to funding limitations.

Hiking on roads and trail systems that are shared by motorized vehicles would not be considered a quality recreational experience by many of our hike leaders or the vast majority of our program participants, and are currently avoided where possible. Under all of the proposed alternatives in the Upper Deschutes Resource Management Plan draft, it appears that hiking programs would be restricted exclusively to established roads and trails. There is an implicit suggestion that all areas will be closed to cross-country foot travel. With no dedicated non-motorized trail system, hiking opportunities are severely limited if cross-country travel is prohibited.

Under a policy restricting all foot travel under Special Recreation Permit to designated roads and trails, the Bend Metro Park & Recreation District's outdoor program is likely to find far fewer attractive destinations for our programs. The possible result will be that our use will concentrate on the few established trails, increasing our impact on the resource. Individuals using the few existing trails in the future will likely encounter more and larger hiking groups than they currently encounter, groups who previously would have been distributed to more remote areas.

This would be an unfortunate situation, given that other user groups on these BLM lands seem to be granted much greater access under all proposed alternatives. In the UDRMP:

- 374,365 acres are open under all alternatives to mineral leasing. Table ES-3 (Pg. xxxix, Vol. 1) and Table 4-17
- 331,677 (or greater) acres are available for rockhounding, Table 4-18

- 228,685 (or greater) acres are available for livestock grazing. Table ES-3 (pg. xxxviii, Vol. 1)
- 153,081 (or more) acres are available year-round for motorized vehicle use for recreation (multiple use with shared facilities), Table ES-3 (pg. xxxix, Vol. 1) and Table 4-22
- Nearly 97% of all the land in the management area is open for hunting (hunters are presumably <u>not</u> restricted to designated roads and trails.) Table 2-1 (pg. 213)

Yet, <u>at most</u>, 87,832 acres may be designated for exclusive non-motorized use management under Alternative 7 (Table 4-22). Given that non-motorized recreationists would be restricted to designated roads and trails, most of these acres are not actually accessible, but can only be explored visually as part of the landscape surrounding roads and trails.

Some would argue that these other uses (mining, rock hounding, livestock grazing, motorized vehicle recreation and hunting) all have the potential for significantly greater impacts on the landscape, wildlife and vegetation, than a hiking program. Under all of the proposed alternative management plans, groups identifying themselves as "rockhounders" or "hunters" can presumably wander through more than 331,000 acres, but an organized hiking group under an SRP would be limited to "only a few developed and maintained hiking trails..." that exist on BLM administered lands in the planning area.

That raises the question: If the area's too sensitive for us to hike through, then why does the UDRMP allow cows, miners, hunters and other users access to the same area?

Ironically, the "Big 4" permit users currently being reviewed (BMPRD, HDM, COCC, and OMSI) may be some of the most conscientious users of public land, incorporating strong educational components to programs that often include promotion of Leave No Trace ethics among participants. These four organizations may be some of the BLM's best allies in achieving the stated vision of how public lands would be managed in the future, a vision that includes:

"Commercial recreation opportunities provide a public service while protecting resource values and minimizing conflicts with other recreationists and adjacent landowners." (pg.27, chap. 1, vol. 2)

The UDRMP would take these allies out of the broader landscape and restrict them to roads and trails. An alternative would be to work with these organizations to educate program leaders to current management issues and concerns that a cash-strapped BLM is facing. In turn, our organizations could then help educate the public about these issues through our programs. Organized programs would also provide additional "eyes" in the field, possibly discouraging unwanted or illegal activities by the non-permitted general public.

Finally, maintaining public access to the largest areas of public land possible is also in line with President Bush's June 20, 2002 Executive Order on activities to promote personal fitness. This Executive Order, in part, directs Federal agencies to provide opportunities for "increasing the accessibility of resources for physical activity, and reducing barriers to achieving good personal fitness." Under President Bush's *HealthierUS* Initiative, administration actions to promote physical activity include "the use of public lands and water."

Developing a network of non-motorized trails on BLM lands will eventually provide greater opportunities for encouraging personal fitness on public lands, and is a laudable goal. But the near-term restriction on hiking and walking programs, two physically healthy activities, to established roads and trails, seems to contradict the intent of the *HealthierUS* Initiative by apparently restricting use of public lands and creating barriers to achieving good personal fitness by those who wish to explore their public lands on foot.

Thank you for considering these comments.

Respectfully,

Eric Denzler, Recreation Program Coordinator Bend Metro Park & Recreation District 200 NW Pacific Park Lane Bend, Oregon 97701 (541) 389-7275

Note on Errata in Draft

Recreation section of Table ES-3 (pg. xxxix, Vol. 1) uses rounded numbers when rest of table is not rounded. Also see Recreation Management Emphasis, ALT 4. Numbers don't agree between Table ES-3 and Table 4-22.





JoniMogs@aol.com 01/14/2004 04:32 PM To: upper_deschutes_RMP@or.blm.gov

CC:

Subject: Upper Deschutes Resource Management Plan Draft EIS

Sirs: Please accept this E-mail copy of my comments on the draft EIS. A hard copy follows via regular mail. It is included in this E-mail as well as an attachment. Thank you,

Joni Mogstad

Bureau of land Management January 14, 2004 Prineville District Office 3050 N. E. Third St. Prineville, OR 97753

Attention Teal Purrington

RE: Upper Deschutes Resource Management Draft EIS

Dear Sir or Madam:

I am writing not because I ride a motorcycle or an ATV. My personal interests are in fishing, snowmobiling and hiking. I focus on sharing these experiences with my grandchildren and soon great grand children. I began introducing my children and their friends to the outdoors nearly 40 years ago. I am writing because I am increasingly alarmed at the growing efforts of land management agencies to limit, restrict and close access to historic recreational pursuits.....especially now that age and health begin to reduce my dependance on muscle power. I firmly believe in the importance of introducing our children to their connection to and dependance on the land, and teaching them the respect for the land that will carry into their adult life. Please don't further restrict my ability to do that.

To begin with, I wish to go on record as being supportive of multiple use including motorized recreation and of realistic access for all users.

The Upper Deschutes Resource Management Plan Draft EIS preferred alternative as written does not address the need to accommodate growth in motorized recreation. Readily available sales statistics will tell you that ATV sales are outstripping all other recreational sales nationally. Rafting and canoeing are also fast growing pursuits in Oregon. The "carrying capacity" work done in the last few years will tell you this recreating public requires more space, not less. We need more and larger staging areas and we need trails of varying degrees of difficulty and length. I'm speaking of all kinds of trails, ATV, motorcycle, four wheel drive, snowmobile, bicycle, hiker, horse and water. Multiple use might mean a summer horse-motorcycle trail is a snowmobile trail in the winter. Adequate staging and parking areas are also a requirement. Given the above assumptions, why in the world would a preferred alternative propose a reduction in trails and in access?

Is the lack of any mention of four-wheel-drive trails an oversight? If so or if not, these users should be included and their needs addressed in the final EIS.

The preferred alternative BLM is proposing does not adequately reflect how an interim policy will be implemented. This interim policy greatly affects our sport and the users as there are no assurances BLM will ever have the resources to put together a designated trail system in the areas proposed. Alternative #7 proposes an aggressive vegetation management plan for the Juniper woodlands that will negatively impact a proposed trail system.. Vegetation can provide barriers and require twists and turns that make a trail much more interesting if not challenging.

I earlier mentioned I am a snowmobiler. Please take note that #1, I object to the closure of the historically

open designation of all BLM land bordering Lapine except the Roseland Play area and #2, I especially object as regards to snowmobiles. The Deschutes National Forest wrote a Wild and Scenic River plan that would have imposed a similar closure a few years ago. Following a review of the Memorandum of Understanding between the Forest Service and The American Council of Snowmobile Associations the Forest Service agreed to continue the open designation with a commitment from local clubs to monitor for damage or degradation.

It appears Alternative #7, proposes closure as a way to manage high use or problem areas. In other words abdicate rather than manage. This observation applies to Lapine and to Prineville reservoir. Motorized access and recreation in these areas should probably be more intensely managed but elimination is the easy way out. Just because your job is complicated or difficult doesn't mean you give it away. It makes more sense to increase opportunities around population centers rather than reduce opportunities around population centers.

I do not support the Alternative #7 proposal to close the Badlands. The presence of a WSA is not an excuse to change use patterns. It is a reason to provide intensive maintenance of existing systems. I recently listened to a talk by O.S.U. Dean Hal Salwasser in which he concluded "Don't let philosophy masquerading as science fool you." Is that what we have here? I se no scientific reason to close Badlands.

Please keep me advised of the progress of the Upper Deschutes Resource Management Plan and remember Multiple Use.

Thank You.

Sincerely,

Joni Mogstad, Blue Ribbon Liaison Oregon State Snowmobile Association 4797 Old Dillard Road Eugene, OR 97405

DESCHU~1.WPD



"Barrett, Susan and Reid Brown" <bsrbrown@teleport .co m>

cc: Subject: UDRMP

To: <upper deschutes RMP@or.blm.gov>

01/15/2004 02:04 AM

Prineville BLM

Attention: Teal Purrington

Re: Comments on UDRMP

I've been riding motorcycles for 37 years in Oregon, and four generations of my family are off-road motorcycle enthusiasts. It's been my good fortune to ride all over the world, and for the past 25 years I've been active in statewide OHV land use issues. One of the most rewarding aspects of this work has been the time spent building partnerships with public land managers, working to solve problems and seek balance in the complex world of natural resource management throughout the State of Oregon.

My first concern with the Draft Management Plan Preferred Alternative is a process concern. OHV users are the vastly predominant user group on the lands under this plan. Our community has worked extremely hard and have committed millions of dollars in a good faith effort to partner with management on these lands in achieving mutual goals. The planning process, including representation on the issue teams and final groups selecting alternative 7 was in no way fairly balanced relative to our stake in the planning area.

Second, alternative 7 proposes permanent closures and restrictions that will cut my family out of areas we like to ride and force us on to areas already over used. The management people in charge of maintaining some of the trails that will remain already say they can't keep up with proper maintenance. If everybody is stuffed into smaller areas as the number of users grow, the remaining areas will be stressed even further. What will this lead to? We should be able to ride in South Millican Valley more of the year at least.

I've heard many comments from BLM management that closures are necessary because of illegal activity such as dumping. These people are no different than any other vandals or criminal element, and proper law enforcement is the responsibility of the BLM and the local community police. These criminals are not our fellow OHV users, they are local scum. Gating all OHV users out of these areas, such as the Badlands, Lapine, or Cline Buttes is an unfair, shortcut solution that will not properly fix the problem and will hit my family and friends hard.

I hope you'll reopen some of the discussions that lead you to alternative 7. Please involve more motorcycle, ATV and 4wd users in this process.

Thank you for your consideration of my comments.

Sincerely,

Barrett Brown
PO Box 1280
North Plains, OR 97133
bsrbrown@teleport.com





FROM THE DESK OF

Member: Juniper Acres Community Committee

Bureau of Land Management ATT: Teal Purrington 3050 NE 3rd St. Prineville, Oregon 97754

RECEIVED

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

RE: Upper Deschutes Resource Management Draft Public Comment Process

January 7, 2004

Bureau of Land Management Administration,

This paper is a written description of my comments pertaining to the Upper Deschutes Resource Management Plan and Environmental Impact Statement. I will provide comments according to the format you have suggested in the Executive Summary.

I wish to withhold my name and address from public inspection by requesting confidentiality.

1. Cite errors in the Analysis:

A. The greatest error in the analysis is the way the issue teams were made up. The issue team members didn't represent a broad based group of individuals. Most issue team members were either BLM representatives or Federal, State and County employees. The smaller or second portion included those who are more environmentally active and are probably affiliated with an environmental group of some kind.

The small percentage that was left over made up your average mixed group of people. They were either retired people or those who could somehow participate without disrupting their jobs. As the meetings continued this group suffered the most loses. These conditions along with others kept the issue teams from being properly represented. Those who had financial incentives were way more dominant.

B. Another major error exists in the analysis because more research and information is needed. The Draft material is to incomplete to support several proposals in Alternative seven. Historic Range Vegetation Management is a primary example. A tremendous change in land use policies and management is necessary under the Historic Range concept. The vegetation treatment proposed in alternative seven isn't properly supported at this time. The Draft doesn't adequately address the juniper woodlands transition and development. The juniper woodlands expansion is occurring not just because the natural fire frequency cycles have been disturbed. New research indicates that the expansion is occurring because of other circumstances that the BLM hasn't addressed adequately. I've already had numerous discussions with BLM representatives about these circumstances. The BLM has yet to show any concerns regarding this matter. The BLM has already made up its mind. New information is available on this issue from professor Lee E. Eddlemans, 1994 Western Juniper Woodlands Science Assessment.

C. The analysis information the issue teams were given is very slanted. The analysis material is largely supported by the Columbia River Basin Report. This report tries to use the pre-settlement past as a guideline to future goals and direction. The report criticizes numerous environmental conditions that exist as a result of human settlement and occupancy. The report tries to promote a desire to mimic environmental conditions that supposedly existed before European settlement. Let's just call it Historic Range of native variability. I don't currently support this agenda because it doesn't complement a free market based economy. The Deschutes River basin has already been transformed into an environment that accommodates human growth and development. The Deschutes River basin was declared a reclamation project a long time ago. "Reclaim from the desert" lets keep it that way. Hector McPherson, Oregon's founder of land use planning, was a big supporter of central Oregon's growth and development. Hector knew it's better to populate this part of Oregon because of its poor soil conditions and arid weather patterns. Hector realized that central Oregon is predominately made up of secondary lands. These are lands of lower stature due to inherent natural and native conditions. The Draft material does an effective job of over inflating the planning areas true character. This over inflated condition is illustrated by the BLM's need to support every proposed ACEC.

- **D**. The Collaborative Planning process had its share of errors also.
- * The large issue team meetings were always carried out by following the BLM's preplanned format.
- * The meetings always started off with an agenda that was generally new and unexpected. This made it literally impossible to affect the meetings outcome. Issues and concerns that may have developed from previous meetings were never handled properly at the next meeting.
- * The large issue team meetings were spaced to far apart. We should have met more often.
- * More debate and discussion should have centered on the AMS information itself. How can you support a position when the information you must use is either inaccurate or incomplete?

The collaborative planning process is useless when you have faulty and misleading information to work with. After awhile you start to feel like your just a puppet in the scheme of things.

2. Provide new information that would have a bearing on the analysis:

- A. The fire frequency cycle information should only be used as a written account of past wildfire occurrences within the planning area. New information suggests that more research is needed to support any major conclusions that the current wildfire information may suggest.
- **B.** The Draft summarizes the history and development of western juniper woodlands in the planning area. New information shows that the current Draft material is incomplete. The Draft excludes the effects that private land uses have on juniper development. The Draft doesn't provide enough research information on the juniper seed germination process. Current information is inadequate to properly understand how juniper seed is being spread and scattered. More research and study is needed to address these key issues.
- C. The Draft information doesn't cover any aspects of CO2 assimilation. New information indicates that the western juniper is the best carbon sink vegetation in the planning area. CO2 assimilation should be a part of vegetation management strategy. The analysis has yet to incorporate this very important issue into the planning process. It should also be pointed out that ecological studies of western juniper woodlands are incomplete in many respects. Refer to professor Eddlemans western juniper assessment for more specifics.

3. Request clarification:

A. I'm requesting at this time that all of the issues and concerns I've described receive proper and adequate written clarification.

4. Cite misinformation that may have been used and could affect the outcome of the analysis:

A. The BLM is misleading issue team members by stating their use of public lands won't affect private land use rights. BLM land use management activities do in fact affect private land use rights. The reason why this occurs is because the BLM, given enough time and resources, can completely change the character of a specific area. A major character change can lead to the redefining of that area. A newly defined area generally initiates state and county land use zoning changes that will apply to that particular area.

The South Millican area can be used as an example. The BLM has improved wildlife habitat in South Millican. These efforts have changed wildlife conditions. As a result, Deschutes County implements a new wildlife area combining zone for the same area. It turns out the new zoning code contains specific standards that take away private land use rights. If you visit the Deschutes County Planning Department a planner can explain the process in more detail.

The Oregon Department of Fish and Wildlife is also involved in county land use planning activities. ODFW regularly opposes conditional use permit approvals. This type of permit is often required for home construction in rural areas. A permit denial occurs quite often due to wildlife concerns brought forth by ODFW. This state agency also defines wildlife areas and highly influences rural county zoning requirements. This relationship between three different government agencies plainly illustrates how wildlife changes on BLM land can and does affect private land use rights. If this process was made more clear to all issue team members I sincerely think it would affect the analysis outcome. This issue is of the utter most importance, therefore I'm requesting clarification from the BLM. Everything should be clarified in writing.

5. Concluding comments:

A. As this planning process developed from its origin I came to the realization that fear and emotion are the main forces driving this process. Alternative seven is largely a product of political manipulation through fear and its effects on decision making. This fear element was introduced in the very beginning by the original AMS document. The AMS tries to support and promote the rational that anything that could change the integrity of native environmental conditions is a threat. Any action or activity that could affect the native picture is a threat and must be addressed. Every threat is associated with a particular fear.

"Lets see now", there is:

The fear from threats to the integrity of native plant communities,

The fear from threats of population growth and development,

The fear of threats from vandalism and dumping,

The fear from threats of unhealthy eco-systems and wildlife habitat,

The fear from threats of motorized recreation and its impacts,

The fear from threats of inadequate public health and safety,

The fear from threats that human caused land uses will harm the environment,

The fear from threats that old growth juniper isn't protected enough,

The fear from threats of water depletion caused by excessive juniper expansion and last but not least, *The fear* from threats that BLM lands aren't adequately blocked up.

There is no doubt fear from threats has played a very significant role in this process. The analysis and Draft proposal should support much more objective thinking. The entire plan should be based on objective strategies that will promote the best outcome for the future. This Draft proposal is unacceptable because it is contaminated by too much fear, threat based emotion and personal prejudice.

6. Summary:

- A. The issue team members didn't represent a broad based group of individuals.
- **B**. The Draft material is to incomplete to support several proposals in alternative seven.
- C. The Draft information is not objective enough.
- **D**. The collaborative planning process suffered because of to much preplanned format.
- E. Fire frequency data shouldn't be used as a crystal ball approach to decision making.
- **F.** More research and study are needed to adequately understand the dynamics of western juniper woodlands.
- G. CO2 assimilation needs to be included into vegetation management strategy.
- **H**. BLM land use management activities do in fact affect private land use rights.
- I. Fear is the main driving force in this process.
- J. Alternative seven is largely a product of political manipulation through fear from threats.
- **K**. The Draft process is contaminated by too much fear, threat based emotion and personal prejudice.

"Supplement"

For the record- No accurate irrigation maps or reclamation information was ever introduced or utilized throughout this entire process. My requests for such information has been denied since the early stages. The same thing happened when I requested information on agriculture and its effects and contributions to our current wildlife conditions.

Thank you,

Member: Land Use's Issue Team; (Grazing and Mining). Member: Social and Economic Benefits Issue Team. Paul D. Dewey

Attorney at Law

#1315

January 13, 2004

1539 NW Vicksburg Bend, Oregon 97701 (541) 317-1993

Prineville District Office
Bureau of Land Management
United States Department of Interior
Attention: Teal Purrington
3050 NE Third Street
Prineville, Oregon 97754

RECEIVED

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

Re: Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement

Dear Ms. Purrington:

I am writing on behalf of the Sisters Forest Planning Committee ("SFPC"), a conservation organization which has been involved in private and public land use planning in Central Oregon for nearly 20 years. The members of the SFPC both live and recreate in Central Oregon and in particular recreate on and live around the BLM lands which are the subject of the above planning process.

The SFPC would like to submit the following comments:

1. Land tenure and exchange issues.

A primary concern of the SFPC has been the BLM's provision for "community expansion" for the City of Redmond, along with associated transportation planning. A concern of the SFPC is that the EIS mentions no legal authority of the BLM to consider such "community expansion." Furthermore, there is no need identified though such need is generally discussed at page 19 of Volume 2. That reference incorrectly describes the BLM lands as "adjacent" to Redmond's core developments. In reality, the BLM land is to the east and south of the edges of the City. Stimulation of private land speculation should not qualify as "community expansion." See the attached articles on attempts by private parties to acquire County land next to these BLM "community expansion" areas.

Elsewhere the need is described as Redmond being 5,500 acres short of what it needs for further development, based on a 20-year population forecast. (See Volume 2, p. 548) The problem with this needs analysis, if it is that, is that the 20-year population forecast underlying the acreage need assessment has been revoked by the County after an appeal by the SFPC to the Land Use Board of Appeals ("LUBA"). See the attached SFPC brief, County materials and LUBA decision. A further population analysis is in process and the preliminary analysis shows that the City of Redmond has greatly exaggerated its proposed population forecast, and thus its need for additional acreage. See the attached January 6, 2004, analysis, pointing out how the Redmond

Attn: Teal Purrington

Bureau of Land Management

January 13, 2004

Page 2

numbers are inflated. Additionally, even if the City of Redmond were accurate in its population and acreage forecasts, there is no reason why such land could not be found on existing private and county lands surrounding Redmond. No need has been shown for the utilization of the public lands under the jurisdiction of the BLM.

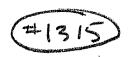
There is also an inadequate range of alternatives in the EIS which in Alternatives 2-7 all show allocation of lands to the south and east of Redmond for a conveyance for community expansion.

Other land tenure concerns include:

- a) The SFPC agrees with the proposed acquisition of private lands in the Tumalo, Northwest and Badlands areas. Additional acquisition would also be good in the southern Cline Butte area so that there would be a connection between the wildlife management locations in the Tumalo area and the area east of the Cline Falls Highway.
- b) The Northwest area should be in Zone 1, since adjoining private lands are shown to be a priority for acquisition.
- c) An area on the east side of Cline Butte near Eagle Crest is shown as Zone 2, but it should be Zone 1 since it is next to private land which is shown to be acquired.
- d) Page 233 of Volume 3-states that public lands to be provided for "community needs" include lands for a park between Eagle Crest Phases II and III. The SFPC questions such specific provisions for land exchanges with particular <u>private parties</u> without full disclosure of all the matters being considered for that property.
- e) The Guidelines on page 233 are also not clear in describing what lands would be used for "community expansion" as opposed to open space and highways. There is also no explanation why other lands could not be used for transportation needs. No adopted and State-acknowledged transportation plans which would use this land are identified.
- f) Alternative 7 is the most extreme of the alternatives, having fewer Zone 1 lands and more Zone 2 and Zone 3 lands in combination than Alternatives 2-6, making sales and exchanges more likely. (Page 511) The Plan lacks clear public safeguards to preserve public values in the face of private land speculation.

2. Transportation.

The SFPC agrees that the Smith Rock and Tumalo areas should be closed year round. In addition, the southern end of Cline Butte should be closed year round in order to connect the



Attn: Teal Purrington Bureau of Land Management January 13, 2004 Page 3

Tumalo area and the east side of the Cline Falls Highway which is shown to be closed. In addition, the Northwest area should be closed year round.

3. Recreation.

The SFPC agrees that the Badlands, Tumalo and Smith Rock areas should be managed exclusively for non-motorized recreation. In addition, the Northwest area should be managed for exclusively non-motorized use. In Alternative 7 it is shown only as non-motorized emphasis. Such non-motorized exclusive management is necessary in order to protect wildlife, old growth juniper and the much needed non-motorized recreation experience which is otherwise disappearing in the area as Central Oregon is so rapidly developed.

4. Wildlife.

The SFPC agrees with the primary wildlife management emphasis for the Northwest area, Smith Rocks and Tumalo. To make the transportation, recreation and wildlife management emphases consistent, this Northwest area, again, should be made non-motorized exclusive and closed to motor vehicle use year round. There should also be a wildlife management emphasis area connecting Tumalo with the area east of the Cline Falls Highway.

5. ACEC.

The SFPC supports Alternative 7 except to request the additional ACEC designations of Smith Rocks (see Alternative 3), Alfalfa Market Road (see Alternative 3 for old growth), Juniper Woodlands (see Alternative 3 for old growth), and Sage Grouse (see Alternative 4). The latter ACEC is particularly needed considering the recent ESA petition filed for protection of sage grouse.

6. Archeological and Indian use areas.

The SFPC supports the closure of caves and closure of bolted climbing routes in order to protect pictographs. In addition, the SFPC supports the protection of other Indian sacred sites and archeological features. While the EIS identification of plants and areas of traditional cultural significance is good (Vol. 2, pp. 223-224, 320-321), there appears to be an omission in terms of vegetative management to encourage and protect those plants. So far, it appears that the BLM in its planning documents is only addressing these areas in terms of access and land exchanges. In addition to those issues, vegetation management to protect and encourage those plants for use by the native peoples should also be identified in this planning process, in the Objectives, Rationale, Guidelines and Treatment Priorities in Vol. 3, pp. 206-209.

Attn: Teal Purrington Bureau of Land Management January 13, 2004

Page 4

Thank you for this opportunity to comment and please let us know your final decision on these issues.

Very truly yours,

PAUL DEWEY

PD:ao Attachments

cc: SFPC

Imond considers annexing property within growth area

5/24/03

y Eric Flowers he Bulletin

REDMOND — Violet Hamnond has little use for the city.

She prefers the pace of life on er 23-acre hobby farm east of edmond.

But now the city is interested Hammond, or, more precisely, er piece of real estate, which sits atside the city limits but within he city's urban growth bound-

That makes 77-year-old Hamlond nervous. If annexed, Hamlond would be forced to pay city roperty taxes, which would inease her tax bill more than one lird. It's enough, said Hamlond, to force her into selling the and the has owned for close to

bped that I could turn it vereamy kids, but with them anexing into the city I now that impossible," she said, Friday iternoon as she took a break om yard work.

Hammond's predicament is ke that of many other residents ho live on the outskirts of fastrowing Redmond and prefer to main outside the city.

While it is not uncommon for the city council to annex small leces of property into Redmond, ected officials are now considting a plan that would bring early all of the land within the rban growth boundary into the

It's an area of more than 2,000 cres scattered across the west-n and northeastern city bound-

Next week city council mem-

bers will meet with representatives of the University of Oregon in a Tuesday evening workshop to discuss a recent annexation study conducted by the university for Redmond.

The meeting is another step in a long process that will likely culminate in a ballot question to voters who will decide where the city should grow.

City councilors say they want to study annexation out of fairness to residents already inside the city. Councilors say those residents pay for roads and other city services enjoyed by those that live outside city limits.

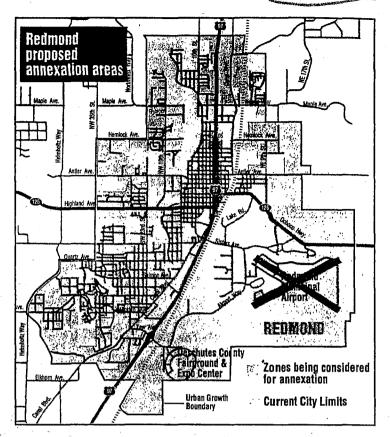
"We're all elected by the citizens as a whole, so we need to look at the interests of the city as a whole. Some people are going to feel like we are putting burdens on them, but at the same time they have been able to live close to the city and enjoy all the amenities of being close to a city," said Mayor Alan Unger.

Still, councilors expect to meet opposition from residents like Hammond who want to stay free of city government and city tax-

"We already know that it's a very hot topic on people's minds. They do have strong feelings and it's an emotional thing," said Joe Mansfield, city councilor.

Mansfield, who recently returned from vacation, said he hadn't yet read the more than 100-page report on the city's annexation options by the University of Oregon's Community Planning Workshop.

Ŝee **Redmond** / C12



Redmond

Costs outweigh any annexation benefits, report says

Continued from C1

Councilors had hoped the report would answer questions about the city's financial liability that emerged early in the discussion of annexation, said Mansfield.

"As people have kicked (annexation) around, each time we came to the conclusion that we didn't understand the economics of it," he said.

The report answers some of those questions, but it's possible that the city council won't like what it hears.

According to report, the costs associated with annexation outweigh the potential financial gains to the city in each of the eight zones examined.

In some cases the costs far outstrip any new revenues. For example in one area, a 308-acre site in the northeast corner of the city's urban growth boundary, the city would have to spend nearly \$7 million to extend city services like water and sewer to the area. In return, the city could expect to collect \$3.6 million in property taxes.

Those kinds of numbers are part of the reason that home owners like Bill Bodden want the city to stay put. Bodden, who lives in the South Heights neighborhood has fought earlier attempts by the city to annex his corner of the county.

During the last attempt, Bodden said 80 of his neighbors, representing almost the entire population of South Heights, signed a petition opposing annexation. He says they will fight again if the city pushes the issue.

"I regard most annexations as hostile takeovers," Bodden said. "It's a hostile takeover to raise more revenue."

Eric Flowers can be reached at 541-504-2336 or eflowers@bendbulletin.com.

eveloper eyes 1,800 acres nea

Head of Hap Taylor and Sons proposes building mixed-use development on the county-owned parcel

and affordable housing.

By Eric Flowers

The Bulletin

oper wants to purchase some or REDMOND — A Bend develof 1,800 acres of countyowned land just outside the Redmond city limits.

and Sons, Todd Taylor, wrote real estate agent of record Steve that he is interested in acquiring Scott, the president of Hap Taylor in a letter to Deschutes County

some or all of the county-owned dustrial zone on the east side of land adjacent to Redmond's in-

ty," wrote Taylor in the letter, dated Oct. 9. "My intent would be a "This land currently provides no economic benefit to the counphased mixed-use development of this land."

increases in tax revenues, jobs Benefits, he added, would be

give the firm some more space by

Taylor is negotiating a deal to company needs room to expand.

leasing an additional 10 acres from Deschutes County adjacent to the company's present opera-Hap Taylor and Sons, a conment firm based in Bend, already struction and real estate develop-

existing land holdings in Oregon lor said his company is ready to the 1,800-acre tract to add to its But if the county is selling, Taymake an offer for some or all of and Washington.

owns 40 acres adjacent to the county land, where it operates a neavy construction site. Taylor old county commissioners on **Tuesday that his fast-growing** The decision could have profound implications for Redmond

the city's urban growth boundary which has recently designated the county land as an area of fu-County records show that 123 acres of the county land already sit within and are zoned heavy industrial. ture urban growth.

the three sites that Redmond is will get special funding from the These lands also include two of noping to add to a list of sites that state to boost local economic de

velopment as part of Gov. Ted Kulongoski's "shovel ready" pro-

velopment it needs to bolster its It's not clear how selling those lands would affect the city's ability to promote the industrial detax base.

drafted an agreement pledging to the shovel-ready sites and have The city and county have been months to partner on a plan for together in recent work together working

See Land/C8

#13150

Officials want land used in line with city's goals

Continued from C1

That agreement has yet to be finalized, though, said Redmond City Manager Jo Anne Sutherland.

Deschutes County Community
Development Director George
Read said the 1,800 acres are up
for sale through an open procēss.
However, he said, he would prefer that the county wait to see if
the state designates either of the
two proposed sites for the shovelready program before moving.

Sutherland said she is aware of the letter from Taylor to the county and has talked briefly with him about his interest in the county land.

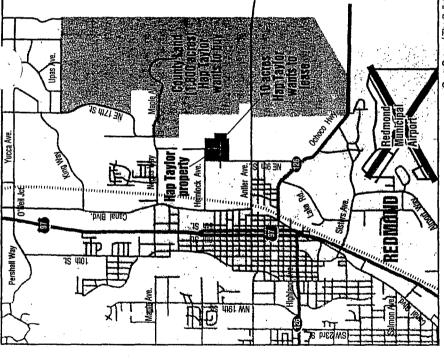
"We want to make sure that if the land is purchased it is for job creation and not speculation, because we have a need right now," Sutherland said.

However, Sutherland said she is reserving judgment on Taylor's proposal until she learns more.

Jeff England, the Redmond Community Development director, said bringing a third party into the picture might not be a bad idea, as long as the developer had the same goals as the city, mainly job creation.

ing to develop it industrially, that would be beneficial. In fact, we would prefer private industry

"It could be beneficial if all three parties are willing to work cooperatively," he said. "On the



Greg Cross / The Bulletin

other hand, if Taylor buys the majority of the parcel which sits property to keep it for them-selves, certainly that doesn't fit growth boundary.

But if they are go-

But finding consensus on how to manage the site could prove difficult with so many interests at stake.

That difficulty was underscored Tuesday when a discussion about a minor land lease with Taylor grew heated among

For now, the county is in control. It not only owns the land but also controls the zoning on the

does these things."

county commissioners in an afernoon work session.

Questions about how deeply to involve Redmond city officials in the planning process came to a head when Commissioner Mike Daly voiced concerns about negotiations over the 10-acre lease with Taylor.

Daly said he was uncomfortable with the year-to-year lease because, he said, it could hamstring the city's efforts to recruit new business. Daly said his biggest concern was that the city might need to quickly extend a road through the site to accommodate a new business sometime in the future.

A required six-month notice period to terminate the lease didn't give the city or county enough flexibility, Daly said.

n Redmond

"This is Redmond's future, this whole area," Daly said. "We ought to be careful with whatever we do and we ought to work with Redmond while we're doing it, because we could be slitting our own throats."

Daly's fellow commissioners didn't see the question of the 10-acre lease in such terms. Commissioners Dennis Luke and Tom DeWolf pushed Daly for a time frame in working with Redmond on the issue. But Daly refused to commit to a date.

"I don't know why you guys can't understand why this is so important," Daly said.

Luke then walked out of the workshop.

Taylor, who walked into the meeting after Luke's departure, attempted to alleviate some of Daly's concerns.

Taylor said he was. ing special treatment or an around the city by coming to the county. Rather, he said, he was simply going through the inquiry process, as would any other interested party.

He took exception, though, to the idea that the county should be protecting road right of way for some unidentified future busiTaylor said his business is now one of the larger employers in the county with more than 500 workers. And with a shortage of space in Bend's industrial area and at its site in Tumalo, Taylor said his company will be looking to consolidate and grow its operations

"If you're looking to take care of someone, you ought to be thinking of taking care of us," he said

The alternative, said Taylor, is that his company could move to Prineville.

"They're begging and borrowing to get people to come there," he said.

Eric Flowers can be reached at 541-504-2336 or eflowers@bendbulletin.com.

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Report tells Redmond councilors annexation could be profitable

By Eric Flowers The Bulletin 10/24/43

REDMOND — A new report indicates that annexing more than 2,000 acres of land currently outside the city limits may not cost as much as first thought.

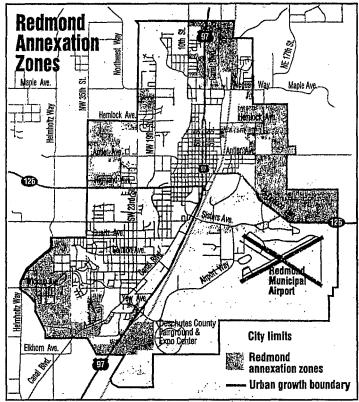
Redmond city councilors got a first glimpse earlier this week of an unfinished report that shows the city may bring more money into its coffers than it pays out in public improvements and services, such as new roads and police patrols, if it decides to annex all land inside its urban growth boundary.

An initial report compiled by the University of Oregon's Community Planning Workshop, which works as a consultant on local and state planning issues, found steep costs associated with annexation.

The May 2000 report by the workshop stated that Redmond could pay up to \$22,000 an acre to develop lands outside the city limits at a deficit of up to \$10,000 per acre because of the costs of providing water, sewer and other services.

"This is a very important step, (but) it doesn't mean the whole analysis is complete," Councilman Joe Mansfield said of the new report. "But the results were very positive both in the immediate future for the city and long range."

The preliminary report by Andy Parks, a consultant and



Greg Cross / The Bulletin

former city of Bend finance director, estimates the city will see a net annual increase of \$618,000 in its general fund if the entire 2,169 acres were brought into the city.

The revenue forecast is based on an assumption that the entire area is developed fully.

The news, which was deliv-

ered to city councilors at a Tuesday morning work session, has rekindled interest in a wholesale annexation of lands inside the city's urban growth boundary.

"We want to be fair and equitable, but I think the movement is toward serious annexation," Mansfield said.

See Annex / B4

FRIDAY, ProsMBER 5, 2003 • THE BULLETIN

o slow on Redmond

Developers eyeing 2,000-acre county-owned parcel

By Chris Barker The Bulletin

Thursday reined in rising interest in county-owned land east of Redmond, pointing to the need to complete a crucial planning process and to problems with a Deschutes County officials on population forecast.

"Deschutes County has not listed any property for sale," said

Tom DeWolf, a Deschutes Coun-

ty commissioner.
DeWolf, fellow commissioners
Mike Daly and Dennis Luke, along with George Reed, county community development department director, addressed an early morning meeting of the Redmond City Council.

Also attending were would-be developers of a 2,000-acre chunk

A consortium of developers, of county-owned land.

gle Crest, Inc., has proposed a acres of land near the Humane Brooks Resources Corp. and Ealarge-scale development that would include residential, industrial and commercial use. In addition, a Tualatin-based company made up of Hap Taylor and Sons, has expressed interest in about 33

Society of Redmond.

Todd Taylor, who represented Hap Taylor & Sons at the meeting, told elected officials that the development consortium could help attract business to Red-

Sutherland addressed interest

Pointing to previous meetings with county commissioners and Redmond City Manager Jo Anne Sutherland, Taylor emphasized his intention to work coopera-

"We're not here to short-cut the

in county property recently ex-pressed by Suburban Door Co. ested in buying 33 acres of county property and adding 10 to 15 em-ployees, according to Ric Nowak, a Redmond city councilor. Owners of the company, which currently has an office at 400 SE n't be reached for comment on Sisters Ave. in Redmond, could-The Tualatin-based firm is inter-

Thursday.
Sutherland said the company wants an answer regarding the

"It would be open in a few months and it would bring jobs," could disrupt the ongoing effort to designate an urban reserve DeWolf and Luke expressed Entertaining individual offers concern about two issues. Sutherland said.

> out how it arrived at its figures, Read said. Redmond officials estimate the city will grow from a population of about 19,150 today to 47,169 by the year 2025.
> "Redmond has projected a

Redmond still hasn't spelled

serve will receive priority in the future when Redmond's urban

growth boundary is expanded

area around the city, Luke said. Land designated as urban re-

growth rate that is quite a bit bigger than the state's (projections)," Read said. "We need to come in with some justification.'

Justifying Redmond's forecast would help insulate the city against further appeals, Read

He said the city's current plan to designate 4,300 acres as urban reserve - including portions of county-owned land east of the Redmond city limits — could be undermined if the city can't justify predicted population growth. Using state projections, the city would have to whittle down the 4,300 acres by about 20 percent, Read said.

That analysis produced some sticker shock among those on the Redmond City Council.

"That was like getting hit upside the head with a two-byfour," Councilor Nowak said.

Nowak said he understands the county has to be equitable. But that shouldn't mean it can't

act quickly.
"I don't know why that has to be a laborious process," he said. "I mean advertise it, get it out there and go for it.'

Chris Barker can be reached at 541-617-7829 or at cbarker@bendbulletin.com.

Land

Councilor Nowak: It doesn't have to be a laborious process

Continued from B1

"I think this is a little bit early in the process," said Luke, addressing the Redmond City Council. "You guys are in the middle of a major planning process.'

In the event it goes on the market, those interested in the county-owned property must be treated equitably - not on an offerby-offer basis, said DeWolf. He said the county typically requires a competitive bidding process for land sales.

Another issue that could complicate any efforts to sell property outside the city limits is the ongoing effort to estimate longterm population growth in Red-mond, said Read, the county's community development direc-

Faced with an appeal by an environmental group, county and municipal officials recently reworked a population forecast through the year 2025. The forecast is required by Oregon state law for planning purposes.

The group, the Sisters Forest Planning Committee, alleged in its appeal that the process by which the forecast was created was not adequately explained.

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BEFORE THE LAND USE BOARD OF APPEALS OF THE STATE OF OREGON

SISTERS FOREST PLANNING COMMITTEE,

LUBA Case No. 2003-058

Petitioner,

v.

DESCHUTES COUNTY,

Respondent.

PETITIONER SFPC'S PETITION FOR REVIEW

Paul D. Dewey, OSB #78178 Attorney at Law 1539 NW Vicksburg Bend, Oregon 97701 Tel. (541) 317-1993 Attorney for Petitioner Laurie Craghead, OSB #92266 Assistant Legal Counsel Deschutes County 1130 NW Harriman Avenue Bend, Oregon 97701 Tel. (541) 388-6593 Attorney for Respondent

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I. STANDING OF PETITIONER

Petitioner, the Sisters Forest Planning Committee (hereinafter the "SFPC"), appeared personally and in writing before Respondent, Deschutes County (hereinafter the "County"), at public hearings held on the legislative plan amendment regarding the Deschutes County Coordinated Population Forecast 2000-2025. The SFPC has filed a timely Notice of Intent to Appeal pursuant to ORS 197.830 and, thus, has standing to appeal pursuant to ORS 197.830(2).

II. STATEMENT OF CASE

A. NATURE OF THE LAND USE DECISION

The challenged decision is Ordinance No. 2003-001, with its attached findings, adopted on March 26, 2003.

B. RELIEF SOUGHT

Petitioner asks that LUBA remand Ordinance No. 2003-001 and its associated findings.

C. SUMMARY OF ARGUMENTS

The Deschutes County Coordinated Population Forecast violates Statewide Goal 2 where the County's key assumptions and calculations lack an adequate factual base. A fundamental problem with the County is that it does not show how it calculated its numbers. It states a variety of assumptions and statistics, but does not bring them together or otherwise show how it determined the numbers it began with or how it adjusted those numbers with any particular assumption or assumptions to reach its totals. Much of the County's referenced source data is also not in the Record.

An example of a statistic on which the County principally relies in its calculations is the number of building permits issued over a certain time period or within certain jurisdictions. The County errs, though, by utilizing these total building permit numbers without deducting for such factors as the permits being for replacement dwellings (being accompanied with demolitions of existing dwellings), as some building permits not resulting in actual construction, and as some construction not being occupied.

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Though the County acknowledges that growth may be affected in the coming decades due to a variety of constraints, in particular with regard to water, the County makes no adjustments in its growth calculations based on such constraints. This is despite evidence in the record that Bend currently only has a five-year supply of water to accommodate future growth.

The County is also inconsistent in its application of sources of data without sufficient explanation as to why the sources of data are considered valid for some uses but not for others. For example, the County utilizes two different population totals for Redmond for the year 2000. The County's analysis is not supported by expertise and methodology to do a supportable study.

Each of the separate calculations for the rural county, Bend, Redmond and Sisters is similarly flawed for the above reasons. These calculations also have separate problems such as the unsupported and unexplained assumption of Redmond's "aggressive growth policies" being a justification for its growth projections.

Where the County's analysis and data are so inadequate that the public was not able to provide meaningful comment, Statewide Goal 1 was violated. Despite repeated requests by the public for additional information on the forecasting, the County did not provide adequate answers to enable the public to understand how the County was calculating its figures.

1. First Assignment of Error.

The County erred in adopting its population forecast where its general assumptions as well as its calculations are not supported by an adequate factual base as required by Statewide Planning Goal 2.

a. Argument No. 1

There is not an adequate factual base to support the County's calculations where the source data and the actual calculations the County used are not included in the Record.

b. Argument No. 2

There is not an adequate factual base to support the County's assumptions and calculations involving building permit data.

c. Argument No. 3

There is not an adequate factual base to support the County's assumption that there are no constraints on growth due to a lack of water and schools and due to the recession.

d. Argument No. 4

There is not an adequate factual base to support the County's calculations and assumptions where the County inconsistently used different sources of information and did not fully explain such different uses, sources and methodology.

2. Second Assignment of Error.

The County erred in adopting its population forecast for the individual cities and the unincorporated county where its assumptions and calculations are not supported by an adequate factual base as required by Statewide Planning Goal 2.

a. Argument No. 1

There is not an adequate factual base to support the population figures for the unincorporated county.

b. Argument No. 2

There is not an adequate factual base to support the population figures for the city of Bend.

c. Argument No. 3

There is not an adequate factual base to support the population figures for the city of Redmond.

d. Argument No. 4

There is not an adequate factual base to support the population figures for the city of Sisters.

3. Third Assignment of Error.

The County erred in its public process on the Coordinated Population Forecast by failing to provide adequate information on how it calculated its figures and on the source data it utilized,

thereby nviolationD. S

thereby making it impossible for the public to meaningfully comment on the proposal, in violation of Statewide Goal 1 and the County's Citizen Involvement Program.

D. SUMMARY OF MATERIAL FACTS

Oregon law requires counties to develop coordinated population forecasts for use in maintaining and updating comprehensive plans. ORS 195.036. The County's Coordinated Population Forecast is a critical planning document because it forms the foundation for other planning decisions, including for cities to determine the amount of land needed for industrial and residential uses. (Rec. 333) It is also used to determine when infrastructure will be needed. (Rec. 333) Such infrastructure development can, in turn, lead to a surge in population growth. (Rec. and A. 14) ¹

The County first adopted a Coordinated Population Forecast in 1998. (Rec. and A. 4) It was a two-year process in which the County and the cities of Bend, Redmond and Sisters reviewed the most recent population forecast from a variety of sources including 1) the Portland State University Center for Population Research and Census, 2) the Department of Transportation, 3) Woods and Poole, 4) the Bonneville Power Administration, and 5) the State Department of Administrative Services Office of Economic Analysis.—(Rec. and A. 4)

The County states that when the 2000 Census and population estimates by Portland State University (PSU) showed that the populations of the cities and the county were growing faster than contemplated under the 1998 forecast, it decided to update the 1998 forecast. (Rec. and A. 4) The Census data for 2000 showed the county at 115,367 (compared to the county 1998 forecast for 2000 of 113,231), Bend at 52,029 (compared to the county forecast of 46,607), Redmond at 13,481 (compared to the county forecast of 17,241), Sisters at 959 (compared to the county forecast of 1,100), and the unincorporated County at 48,898 (compared to the county forecast of 48,283). (Rec. and A. 6; Rec. 421) Much of the shortfall in the estimation for the population of Bend appears to have been made up by the excessive predictions for the cities of

^{1 &}quot;Rec." indicates the page in the County Record; "A." indicates the page in the attached Appendix.

Redmond and Sisters. (Rec. and A. 6; Rec. 421) Another population projection in the General Plan shows growth as being less than predicted, with 128,200 having been predicted for 2000. (Rec. 168)

The County received a grant from the Oregon Department of Land Conservation and Development (DLCD) in February of 2002 to coordinate another round of population forecasting in anticipation of new OEA numbers. (Rec. and A. 12) The effort involved six meetings among staff of the four jurisdictions and representatives from DLCD. (Rec. and A. 12) OEA released a preliminary, unofficial forecast for Deschutes County in 2002. (Rec. 78) Absent official numbers from OEA, the County prepared its own forecast for the jurisdictions in five-year increments up to the year 2025. (Rec. and A. 14)

Another OEA draft estimate came out in January of 2003. (Rec. and A. 12) The County did not alter its figures in light of the new OEA numbers. (Rec. 82, A. 53) The adopted county numbers for 2025 were for an overall population of 231,220 (compared to 209,919 in the latest OEA estimate). (Rec. and A. 8; Rec. 82, A. 53) This is a difference of approximately 9-10%. (Rec. 82, A. 53) Such a difference between the OEA numbers and the County's adopted numbers also apply for the years 2010, 2015 and 2020. The difference for the year 2005 is approximately 7%. (Rec. 82, A. 53)

Hearings were held before the Deschutes County Planning Commission on December 12, 2002, and before the County Commissioners on January 29, February 12 and March 12, 2003. (Rec. and A. 34)

III. LUBA'S JURISDICTION

The County made a final land use decision under ORS 197.015(10). LUBA has jurisdiction to review such local government land use decisions pursuant to ORS 197.825(1). A local government decision is a "land use decision" not only if it meets the definition of "land use decision" in ORS 197.015(10), but also if it meets the "significant impact test" established by City of Pendleton v. Kerns, 294 Or. 126, 133-34, 653 P.2d 992 (1982). Ordinance No. 2003-001

and its associated findings is a land use decision because it concerns amendments to the Deschutes County Comprehensive Plan and application of the Statewide Planning Goals. The Ordinance also has a significant impact on land uses. IV. FIRST ASSIGNMENT OF ERROR The County erred in adopting its population forecast where its general assumptions as well as its calculations are not supported by an adequate factual base as required by Statewide Planning Goal 2. Assignment of Error 1; Argument No. 1 A. There is not an adequate factual base to support the County's calculations where the source data and the actual calculations the County used are not included in the Record. A fundamental requirement for projected population figures is that they have an adequate factual base and that counties be able to explain their methodology and conclusions and specify the evidence upon which they rely. See DLCD v. Douglas County, 33 Or. LUBA 216, 224 (1997); DLCD v. Douglas County, 37 Or. LUBA 129, 132 (1999); and Statewide Planning Goal 2: ··· 1. Lack of source data in the Record. Much of the source data on which the County relies is simply missing from the Record, including: the 2000 Census data (referred to in the Findings at Rec. and A. 17, 23-24, 26, and 28); 1) 2) the PSU July 1, 2000, certified population numbers (referred to at Rec. and A. 8); the PSU July 1, 2002, certified population numbers (referred to at Rec. and A. 17); 3) 4) the PSU annual reports (referred to at Rec. and A. 27); the County GIS data on which it relied (referred to at Rec. and A. 8); 5) 6) the 1997 OEA numbers (referred to at Rec. and A. 17); 7) the 2002 OEA numbers (referred to at Rec. 82 and A. 53);

the OEA, PSU and other data used in Table 10 (referred to at Rec. and A. 31);

in-migrant age data for Deschutes County (referred to at Rec. and A. 27-28); and

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10) analysis of Bend and Redmond housing costs (referred to at Rec. and A. 31).

It is not sufficient for the County to simply quote numbers from these sources. This is particularly the case when the County cites more than one of these sources as the basis for some number it comes up with. (See, for example, Table 9 at Rec. and A. 27 and Table 10 at Rec. and A. 31.)

2. Failure to show or explain calculations.

A further problem is that the County does not show or explain how it calculated its numbers.

a) Base Year 2000 numbers.

The County does not explain how it came up with its Base Year 2000 numbers. These numbers are critical since they apparently form the basis for subsequent period calculations. The County describes the source for its July 1, 2000, data as: "PSU certified population for cities and county GIS date for UGB areas and the rural population." (Rec. 8) In its Findings, the County states that its total county population number "is higher than the PSU estimate of 109,600." (Rec. and A.15) Unfortunately, the PSU July 1, 2000, certified population numbers and the GIS data are not in the Record.

In order to depict the sources (or lack thereof) for the County's Base Year 2000 numbers, we have put together the following chart from material in the Record:

	Bend	Redmond	Sisters	Unincorp. Co.	Total Co.
County Base Year 2000 as of July 1, 2000 (Rec. and A. 8)	52,800	15,505	1,100	48,283	117,688
2000 Census as of April 1, 2000 (Rec. 386, A. 84)	52,029	13,481	959	48,898	115,367
County 1998 Forecast for 2000 (Rec. and A. 6)	46,607	17,241	1,100	48,283	113,231

This chart reveals that the true source of the County's Base Year 2000 numbers for Sisters and the unincorporated county was the County's "forecast" back in 1998. How and why

the County says it utilized PSU certified numbers and GIS data to come up with what are actually 1998 forecast numbers for Sisters and the unincorporated county are not known. We present the 2000 Census numbers here because they are close in time (April 1) to the date of July 1, 2000. The County's July 1, 2000, number for Bend seems reasonable considering the Census April 1, 2000, number. There is also no explanation for the County ignoring the 2000 Census data. We see no explanation for the Redmond numbers. Again, no PSU certified numbers for July 1, 2000, are in the Record.

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The County's high numbers for Redmond and Sisters in 2000 are particularly noteworthy since the County apparently accepts (see Rec. and A. 31) the July 1, 2002, PSU preliminary estimated numbers for these cities which are 16, 110 for Redmond (Rec. 390, A. 88) and 1080 for Sisters (Rec. 390, A. 88). This would mean a relatively low growth rate for Redmond from 2000 to 2002, with an increase of only 605 people in two years (15,505 to 16,110) and an actual loss in population for Sisters of 20 people in two years (1,100 to 1,080).

b) <u>Extrapolation from the Base Year 2000 numbers.</u>

There is simply no explanation for how the County reached its forecast numbers. Unlike other counties, Deschutes County did not come up with specific projections for births, deaths, and migration patterns or with progressions for specific growth rates. See DLCD v. Douglas County, 37 Or. LUBA at 137 where Douglas County came up with specific projections for births, deaths, and migration patterns. Deschutes County states that it did not utilize birth, death and migration rates because it does not have easy access to such data. (Rec. 80)

Rather, the County claims to have used growth rates and patterns, or trend data. (Rec. and A. 13) But it fails to identify any specific rates or how it applied the rates. In contrast, see <a href="https://doi.org/10.1001/journal.new.line.com/doi.org/10.1001/journal.new.

Deschutes County does not discuss any growth rates it applied to the Base Year 2000 numbers. It does identify growth rates, however. The non-urban county numbers, for example, are shown to grow 10.94% in the first five years, 13.17% in the second five years, 11.23% in the third five years, 8.93% in the fourth five years, and 5.02% in the last five years. (Rec. and A. 8) However, these percentages do not appear to be separately derived and then applied to the source population numbers to come up with the projected totals. Rather, the unexplained percentages seem to have been calculated <u>after</u> the five-year numbers were already decided upon.

B. Assignment of Error 1; Argument No. 2

There is not an adequate factual base to support the County's assumptions and calculations involving building permit data.

The County several times in its Findings relies on numbers of building permits issued by various jurisdictions as the basis for its population projections. (Rec. and A. 17, 18, 20, 31; Rec. 79) For determining the growth of the unincorporated county, the County used an historical average of 910 building permits per year (using a 12-year historic average). (Rec. and A. 18, 20) For the city of Redmond, the County also cites numbers of building permits as substantiation for its population projections. (Rec. and A. 31)

LUBA has questioned simplistic uses of building permit numbers as a basis for determining population projections in at least two cases. In <u>Concerned Citizens of the Upper Rogue v. Jackson County</u>, 33 Or. LUBA 70, 105 (1997), LUBA noted that consideration must be given "to the strong possibility that some building permits did not result in actual construction, that demolition may have offset new construction or that some construction was not immediately occupied."

Similarly in <u>Tipperman</u>, Or. LUBA at _____, the Board questioned the County assumptions on building permit data, including that no dwellings were abandoned, demolished or replaced, and that the authorized dwellings were actually built and occupied.

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In this case, the County fails to identify how many of the "910 building permits per year" were actually built or were replacement buildings. The fact that houses were built also does not mean they are occupied. See the article on the slowing housing market in Bend, showing statistics of a significant downturn in the percentage increase of houses actually sold. (Rec. 70, A. 50) Following an 18% increase in the number of houses sold in 2001 from 2000, the increase in the number of homes sold in 2002 from 2001 was only 3%. The article also notes that the pace of building is not slowing (Rec. 70, A. 50), suggesting a growing gap between the number of building permits and what is being sold. If a county only looks at the number of building permits, instead of what is actually built and occupied (or replaced), then it is inflating the actual growth.

C. Assignment of Error 1; Argument No. 3

There is not an adequate factual base to support the County's assumption that there are no constraints on growth due to a lack of water and schools and due to the recession.

The County repeatedly acknowledges that it should consider constraints to growth in its analysis of the population forecast. It fails, however, to actually calculate the effects with regard to such factors as water, schools, and the economy.

1. The water shortage.

In its discussion of Bend, the County addresses the City's "ability to provide for growth (infrastructure 'supply')," (Rec. and A. 28) and observes that the City will need to obtain additional water rights. (Rec. and A. 29) Indeed, City of Bend materials in the Record show that with a growth rate of just 1,000 dwelling units per year, Bend has enough water to provide less than five years of growth. (Rec. 154, A. 67)

The text amendment adopted by the County for its Comprehensive Plan states:

In the fall of 1998, the Oregon Water Resources Department acknowledged that virtually all groundwater in the Deschutes River basin discharges to the rivers of the basin. The Water Resources Department may place restrictions on the consumptive use of groundwater to protect the free flowing nature of the Deschutes River, instream water rights and existing water rights. These

restrictions may affect the use of groundwater resources for future development and consequently affect the future growth and allocation of population in the County and the three urban jurisdictions. (Rec. and A. 5)

Despite this evidence and these findings, the County includes no factor in its calculations to acknowledge this growth constraint. Instead, the County simply states for the city of Bend that "it seems more reasonable at this time to assume that permits for an adequate water supply will be obtained than to assume that they will not." (Rec. and A. 29) There is no factual basis or explanation for this assumption. In <u>Concerned Citizens</u>, 33 Or. LUBA at 101 and 105, LUBA rejected such unsupported assumptions.

The County does not even assert that this unsupported assumption of water availability is applicable to Redmond, Sisters and the rest of the County, though its text amendment acknowledges that consumptive use restrictions may "affect the future growth and allocation of population in the county and the three urban jurisdictions." (Rec. and A. 5) (Emphasis added)

One way in which lack of water can be a growth constraint is where city and county code development provisions require adequate water facilities and infrastructure for approval of zone changes and subdivisions. Relevant excerpts from the Bend Code are attached in Appendix B.

2. Lack of school facilities.

Another growth constraint not adequately addressed by the County concerns schools, particularly with regard to Redmond. The County addresses school infrastructure for the city of Bend and concludes that the historical experience of the School District passing bonds for new school construction and facility improvements "suggests that a lack of school facilities is unlikely to act as a significant growth constraint." (Rec. and A. 29) Yet when it comes to Redmond, the County does not even address the subject. This is despite the fact that Redmond has consistently failed to pass bonds, including in 2000 and 2002. (Rec. 72, A. 52) Applying the same analysis the County did for the city of Bend, the County would have to conclude that

inadequate schools are a growth constraint on Redmond and adjust the growth projections accordingly.

This is a growth constraint not only due to city code provisions regarding zone changes and subdivision approvals, but also due to ORS 195.110(10) which allows inadequate school facilities to be the sole basis for denying development applications where plan amendments and zone changes are involved. See ORS 197.015(11).

3. The current economic recession.

The County includes no adjustment to growth due to the current economic recession. In fact, the County only addresses it once its findings, stating: "Economic Recession – the most recent recession <u>did not</u> slow growth in Deschutes County or Bend." (Rec. and A. 30) (Emphasis added) The only support cited for this statement is that the number of non-farm wage and salary jobs in the County increased from 51,500 to 54,020 from January of 2001 to September of 2002. (Rec. and A. 30) There are several problems with this analysis. First, the recession is not in the <u>past tense</u>; it is continuing as evidenced by the 2003 data on the slowing housing market in Bend. (Rec. 70, A. 50) Second, no correlation is made between jobs and population growth. The jobs could be going to the existing population, not necessarily to newcomers.

D. Assignment of Error 1; Argument No. 4

There is not an adequate factual base to support the County's calculations and assumptions where the County inconsistently used different sources of information and did not fully explain such different uses, sources and methodology.

LUBA in the <u>Concerned Citizens</u> case, 33 Or. LUBA at 100-101, addressed the complexity of population analyses and the need for expertise² to do them:

We agree with Citizens that testimony from a witness who is not shown to be qualified by education or experience to evaluate the evidence and draw conclusions concerning a highly technical and complex subject raises substantial

² In the <u>Tipperman</u> case, ____ Or. LUBA at ____, LUBA clarified its statement in <u>Concerned Citizens</u> to state that its finding of a lack of substantial evidence had more to do with countervailing evidence and internal flaws than just the consultant's qualifications. Such countervailing evidence and internal flows are also present here.

evidence concerns, particularly when it is contradicted by evidence such as the official population estimates prepared by CPRC and letters from CPRC experts.

The County in this case did not retain any expert consultants. It also inconsistently utilizes source data without adequately explaining why. For example, the County for the most part dismisses OEA's projections as too low.³ (Rec. and A. 17) Yet when it comes to forecasting the growth for the unincorporated county, the County finds OEA's growth rate projections too high. (Rec. and A. 23) It should be noted that OEA apparently did not have a separate growth rate projection for the non-urban county. The OEA growth rates quoted by the County are apparently for the County as a whole. (Rec. 147, A. 60) The County also gives a seemingly contradictory explanation for its use of the OEA numbers:

County Staff relied on the proposed draft growth rates from OEA for each fiveyear period for forecasting the change of the unincorporated population of Deschutes County over the forecast horizon. Staff assumed lower rates of growth in each period. (Rec. and A. 23)

If the County Staff "relied on" the draft growth rates from OEA, then it is not explained why the Staff then turned around and assumed lower rates of growth than OEA in each period.⁴

The County in its Findings also alternates between using the Census numbers and the numbers the County came up with for the Base Year 2000. See Table 10 where the County uses the Census numbers for Redmond for the year 2000 (13,481) (Rec. and A. 31) versus Table 2 where it uses it own numbers for Redmond of 15,505. (Rec. and A. 15) In Table 4 the County

³ The County also asserts that 1997 OEA projections for 2000 were low, by almost 5,000 (Rec. and A. 17). (Note that this difference is inflated by the County's use of its own Base Year 2000 number instead of the Census figure.)

⁴ Little explanation is given by the County for its differences with the OEA numbers except that the OEA method is allegedly "less useful when a large share of the forecast increase is due to people moving into an area." (Rec. 13) No authority for that assumption is provided. Despite the large differences of 9-10% between the OEA and the County's numbers and the OEA's expression of surprise by the "big difference" (Rec. 45, A. 46), the County suggests in its text amendment to the Comprehensive Plan that it relied on the OEA numbers: "The Oregon Office of Economic Analysis (OEA) provided a draft population forecast for Deschutes County that the County and the cities relied on in developing the forecast." (Rec. 4) (Emphasis added) The reality is that it appears that the County relied very little, if at all, on anything the OEA has done.

uses the Census numbers of 115,367 for the overall County population (Rec. and A. 17) versus Table 2 where it uses its own numbers of 117,688. (Rec. and A. 15)

The County not only inconsistently uses these different population numbers, but it also extrapolates percentages of growth rates in ways most favorable to their arguments. By using the lower 13,481 Census figure for Redmond's 2000 population in Table 10, the County can show a higher annual growth rate from 2000-2010 than if it had used its 15,505 figure. (Rec. and A. 31) Table 10 currently shows an average annual growth rate of 6.53% from 1990 to 2000 (7,163 to 13, 481) and a higher growth rate of 7.53% from 2000 to 2010 forecast (13,481 – 27,873). If the County had actually used the 15,505 figure it adopted for the Base Year 2000 (Rec. and A. 8), the growth from 1990 to 2000 would be 164% over the 10-year period (7,163 to 15,505) and from 2000 to 2010 would be 79% (15,505 to 27,873); a decrease. Also, to calculate its "persons per housing unit" figure of 2.1, the County used the Census population figure of 115,367 for the whole County (Rec. and A. 24), rather than the County's adopted 177,688 figure. (Rec. and A. 8)

As LUBA noted in <u>Concerned Citizens</u>, 33 Or. LUBA at 101, the PSU estimates are rendered more credible by the opportunity provided to cities to challenge them and the incentive (higher tax distributions) for the cities to do so. That is also presumably the case with Census numbers. If Redmond in fact believed that the Census numbers were inaccurate, it should have challenged them. Again, it is also not explained why the 2000 Census numbers for Bend were apparently accurate but the Redmond numbers were not. In <u>Concerned Citizens</u>, 33 Or. LUBA at 105, LUBA observed how Jackson County used the PSU figures for some years but then rejected them for others without adequate explanation. LUBA rejected the County's numbers because they were based on "incomplete data and changing and unsupported assumptions." <u>Id.</u> at 105.

⁵ We give overall growth rates for the 10-year periods since we do not understand how the County came up with its average annual growth rates. The result is the same in showing a decreasing growth rate for Redmond,

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V. SECOND ASSIGNMENT OF ERROR

The County erred in adopting its population forecast for the individual cities and the unincorporated county where its assumptions and calculations are not supported by an adequate factual base as required by Statewide Planning Goal 2.

A. Assignment of Error 2; Argument No. 1

There is not an adequate factual base to support the population figures for the unincorporated county.

In addition to the above problems which affect the County's determination of the unincorporated county numbers, there are other problems with these numbers, including: 1) the use of "persons per housing unit"; 2) the assumption of no more resorts in the County; and 3) the assumption of no building in commercial forest lands.

The use of "persons per housing unit" is not adequately explained by the County. (Rec. and A. 23-24). The "housing unit size" of 2.1 was developed simply by dividing the 2000 Census figure for the County (115,367) by the total number of housing units (54,583). No justification is given for this methodology. The relationship between housing density and second homes is not explained (Rec. 246). Also, the difference between this 2.1 figure and the County 1998 1.95 household size (Rec. and A. 4) and Bend 2.3 persons/household (A. 42) is not explained. No reason is given for the use of the Census figure of 115,367 instead of the County's Base Year 2000 number of 117,688.

In <u>DLCD v. Douglas County</u>, 37 Or. LUBA at 141, LUBA rejected that County's "household size" calculations where there was no evidence in the record on persons per household for retirees and where the County did not explain the role of the household size assumption in its calculations. Similarly here, there is no breakdown of this "housing unit size" between different age groups, localities and other factors. The County also does not explain how it actually used this "housing unit size" in its population calculations.

Furthermore, the discussion of this factor by Deschutes County is in the section on the unincorporated county and it is not explained if the factor was applied elsewhere. If applied only

"housing unit size."

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to the rural county, it is not explained why total county numbers were used to come up with the

The County's figures for the rural county also do not include any further destination resorts beyond the already-approved Pronghorn and Eagle Crest III (Rec. and A. 25) despite the fact there remain significant areas zoned for destination resorts. Possible additional resorts, such as Cascade Highlands, could significantly add to the non-urban county numbers. (Rec. 140) The County also assumes no dwellings in the corporate-owned timberlands. (Rec. and A. 21) This is in spite of the fact that Crown Pacific has been partitioning and selling off its forestlands. (Rec. 156-158) That the County assumes there will not be any dwellings in the corporate-owned timberlands is simply not realistic.

Assignment of Error 2; Argument No. 2

- There is not an adequate factual base to support the population figures for the city of Bend.

In addition to the above problems affecting the County's figures for Bend, other problems with the County's Bend projections include: 1) the County's use of "current age groupings"; 2) the failure to provide a factual basis for its in-migration and out-migration projections; and 3) the unexplained use of "household unit size."

Part of the basis for the County's calculation of Bend's population is a factor called "current age groupings." (Rec. and A. 27-28) Based on the assumption that "[m]ost of the recent population increase has come largely from 'in-migrants' that are baby-boomers and the following generation of children and grandchildren rather than elderly retirees" (Rec. and A. 27), the County utilized the U.S. Census Data for 2000 to show the age distribution for Bend and project that there will not be a significant natural decline (death due to aging) of the existing population and that the echo generation will continue to add to the births. (Rec. and A. 28) The problem with this analysis is that the slender basis for assuming that most "in-migrants" are baby-boomers is because of "the rapid increase in school age children in the Bend schools."

(Rec. and A. 27) Even if part of the increase in school age children was due to in-migrants rather than existing residents, an increase in children does not mean that there are fewer elderly retirees than baby-boomers moving to Bend.

A related problem is that the County fails to provide a factual basis for its in-migration and out-migration projections. Considered to be one of the most volatile elements in population projections (Rec. and A. 12), "migration" and its statistics are barely discussed. (Rec. and A. 27-28) See DLCD v. Douglas County, 33 Or. LUBA at 224 where the failure to specify migration data was determined to violate Goal 2.

It is also not clear, again, how the County utilized the household size factor for Bend. Statistics for second homes for Bend are apparently not the same as the whole county (Rec. 194) and one planner gave an assumption of 5% of all new homes in Bend being second homes. (Rec. 194) The Bend General Plan actually states that 10% of new dwellings are for second homes and vacation homes. (A. 42)

C. Assignment of Error 2; Argument No. 3

There is not an adequate factual base to support the population figures for the city of Redmond.

In addition to the above problems affecting the County's calculations for Redmond, another problem is with a key premise in the County's one-page high growth analysis for Redmond: "the city's aggressive growth policies." (Rec. and A. 31) Nowhere are these "aggressive growth policies" explained, let alone identified. Even if they exist in some form, such policies also do not necessarily equate to actual aggressive growth.

Another factor that is not adequately explained by the County is that "housing prices are lower than Bend." (Rec. and A. 31) It is not explained how that will cause Redmond to take an increased share of the county population. (Rec. and A. 31) Average prices of a city do not necessarily mean anything. Within the average price for Bend, for example, there could in fact be a greater number of available houses at a lower price than exist in Redmond.

D. Assignment of Error 2; Argument No. 4

There is not an adequate factual base to support the population figures for the city of Sisters.

In addition to the above problems with the County's calculations applicable to Sisters, and in particular that the County's numbers for 2002 are less than those for 2000, there is also a problem with its extremely high projected growth rates of over 40% for certain five-year periods. (Rec. and A. 8) Other than availability of sewer, no explanation is given for this rate. Originally, the County was going to predict a population for Sisters in 2025 of 2,548 (Rec. 411), but ended up predicting 4,167. (Rec. and A. 8) No explanation for this large change is given, and the County fails to address the obvious constraints to growth posed by all the surrounding federal land by Sisters.

VI. THIRD ASSIGNMENT OF ERROR

The County erred in its public process on the Coordinated Population Forecast by failing to provide adequate information on how it calculated its figures and on the source data it utilized, thereby making it impossible for the public to meaningfully comment on the proposal, in violation of Statewide Goal 1 and the County's Citizen Involvement Program.

Where the County failed to provide enough information or to explain its calculations and methodology, it was impossible for the public to meaningfully participate in this process, in violation of Statewide Planning Goal 1. The Statewide Goal 1 provides in relevant part:

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process ... the program shall provide for continuity of citizen participation and of <u>information that enables</u> citizens to identify and comprehend the issues. (Emphasis added)

One of the components of the Goal regarding "Technical Information" provides: "To assure that technical information is available in an understandable form... Information necessary to reach policy decisions shall be available in a simplified, understandable form."

We are aware that LUBA in past cases has read Statewide Goal 1 narrowly, stating that LUBA would limit its review to the contents of the Citizen Involvement Program. <u>Casey Jones</u>

Well Drilling, Inc. v. City of Lowell, 34 Or. LUBA 263, 284 (1998). In another case, Friends of Cedar Mill v. Washington County, 28 Or. LUBA 477, 483 (1995), LUBA ruled that a local government did not violate Goal 1 or Comprehensive Plan policies implementing the Goal by adopting a decision six weeks after the final planning Staff Report was available, where a great deal of citizen involvement and participation preceded issuance of the final Staff Report. In this case, citizen involvement and participation was thwarted where the County did not reveal underlying facts and analysis of its proposed population forecast.

As the case at bar exemplifies, there is no opportunity for meaningful public participation where the County fails to give adequate information that enables the public to identify and comprehend the issues. As the fundamental building block for Oregon's land use process, Goal 1 must be considered to have some content and not just form.

Furthermore, the Citizen Involvement Program of the County as found in the Comprehensive Plan at Chapter 23.124 calls for involving people "in a productive manner" in the ongoing planning process of updating and implementing the comprehensive plan. (Rec. 174) The County's involvement of the public in this process was not productive where the most basic facts and analyses were not disclosed for the public to comment on them.

Where the County is required to follow Statewide Goal 1 and its Citizen Involvement Program, it should be considered a violation of the above to have a process in which the County provides inadequate information to the public for them to be able to participate in legislative amendments. As reflected by the repeated letters from the Sisters Forest Planning Committee and 1000 Friends of Oregon, numerous questions were presented to the County requesting the missing information. On January 29, 2003, the SFPC wrote:

The "Discussion and Explanation" of the "Final Report" continues to fail to adequately explain the underlying assumptions of this forecast. As a result, there is an insufficient basis to provide meaningful public comment and for the Commissioners to make a well-reasoned decision on the best forecast. (Rec. 242, A. 73)

On February 12, 2003, the SFPC wrote: 1 Simply arguing that OEA in the past had made a low projection is no basis to 2 reject the current analysis, particularly since the County fails to analyze the OEA 3 numbers or to explain how its own numbers are calculated. 4 It is impossible for the public to comment on the County's numbers where there is 5 no explanation of the calculations. More explanations and disclosures of numbers and methodology plus an extension of time for the public to comment on them is 6 needed. (Rec. 140, A. 54) (Original emphasis) 7 On March 12, 2003, the SFPC wrote: 8 The County is simply not giving the public enough information to be able to 9 determine whether or not the County's proposed population forecast is reasonable. For example, it is not adequate to merely state that OEA predicts a 10 lower net migration for the state in the coming years. No numbers are provided and no explanation is given for what the "lower net migration" means. (Rec. 69, 11 A. 49) 12 In each of the above letters the SFPC goes into great detail identifying gaps in information and 3 analysis. 1000 Friends of Oregon similarly requested such detailed information. (Rec. 245-249, 14 A. 75-79; Rec. 318-321, A. 80-83) The County ultimately failed to provide the underlying data 15 and analysis and the bulk of the requested information. 16 VII. CONCLUSION 17 Based on the foregoing reasons, LUBA should remand the County's Decision and 18 Findings on this legislative amendment. 19 DATED this 7th day of July, 2003. 20 Respectfully submitted, 21 22 Paul D. Dewey, OSB# 78178 23 Attorney for Petitioner SFPC 24 25

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BEFORE THE LAND USE BOARD OF APPEALS FOR THE STATE OF OREGON

SISTERS FOREST PLANNING COMMITTEE,

Petitioner,

LUBA Case No. 2003-058

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MOTION TO DISMISS

DESCHUTES COUNTY.

Respondent.

Pursuant to OAR 661-010-0065(2), Respondent moves the court for an order to dismiss the above-entitled matter.

CERTIFICATE OF COMPLIANCE WITH UTCR 5.010

Respondent certifies that it has attempted to confer with Paul Dewey, legal counsel for Petitioner, concerning the issues which are the subject of this motion. Mr. Dewey is aware of the motion, however, due to his scheduled vacation I have not heard if he objects. Upon Mr. Dewey's return, I will attempt to confer with him and advise the Board promptly of our conversation.

POINTS AND AUTHORITIES

Respondent's Motion to Dismiss is based upon the fact that Respondent has scheduled a repeal of Ordinance 2003-001, therefore, the appeal will be moot. A copy of the draft agenda request and ordinance repealing Ordinance 2003-001 is attached as Exhibit "A." Respondent will provide an affidavit and copy of the signed repealing ordinance on August 13, 2003.

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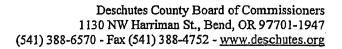
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1	Respondent also agrees that Petitioner is entitled to its costs pursuant to OAR 661-10-030(1)
2	and OAR 661-10-075(1)(b)(C).
3	Respectfully submitted by:
4	Laurie F. Worgherd
5	Laurie E. Craghead, OSB #92266 Deschutes County Assistant Legal Counsel
6	of Attorneys for Respondent
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DESCHUTES COUNTY LEGAL COUNSEL
1130 NW Harriman Street
Bend, Oregon 97701
Telephone: 541-388-6623 * * * Facsimile: 541-383-0496





AGENDA REQUEST AND STAFF REPORT

DEADLINE: The following items must be submitted to the Board's secretary no later than noon of the Thursday prior to the Board meeting.

- This agenda request form
- Your staff report
- Any relevant backup information
- Maps of the subject property and general area, if appropriate
- The original documents to be approved

The Board's secretary will route your original documents to Legal Counsel for approval if necessary. Please <u>do not</u> give your documents directly to Legal Counsel.

All boxes must be completed.

Department/Division:	Person Submitting Request:	Contact Phone #: 385-1709	
Community Development	Damian Syrnyk		
Date Submitted:	Person to Attend Meeting:	Date of Meeting:	

Description of Item (as it should appear on the agenda), and Action Requested:

Public Hearing on Ordinance 2003-078, An Ordinance Repealing Ordinance 2003-001: the 2003 Coordinated Population Forecast for Deschutes County and the cities of Bend, Redmond, and Sisters.

Background Information (please attach additional pages as appropriate):

The purpose of Ordinance 2003-078 is to repeal the coordinated population forecast adopted through Ordinance 2003-001 in March of this year. The Sisters Forest Planning Committee (petitioner) filed a Notice of Intent to Appeal this decision to the Oregon Land Use Board of Appeals (LUBA) in April. Staff and County Legal Counsel, in conjunction with planning and legal staff of the three cities, have reviewed the petitioner's brief before LUBA and believe it raises legitimate questions and issues that are best addressed before the Board in a public process involving all the parties.

Budget Implications:

Long range planning staff (Principal Planner and Senior Planner) time in the preparation of additional findings, any changes, and coordinating public review of forecast.

Policy Implications:

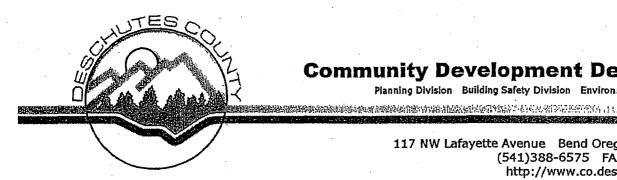
The proposed ordinance would repeal the forecast adopted in March of 2003. The forecast adopted in 1998 will remain in effect until the new forecast is completed.

Distribution of Documents after Approval:

Return copy of signed ordinance to Staff for notification of the parties and for the Department of Land Conservation and Development.

Rev. 7-03

EXHIBIT	<u>A</u>	PAGE	1
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Community Development Departmen.

Planning Division Building Safety Division Environmental Health Division

117 NW Lafayette Avenue Bend Oregon 97701-1925 (541)388-6575 FAX (541)385-1764 http://www.co.deschutes.or.us/cdd/

MEMORANDUM

TO:

Board of County Commissioners

FR:

Damian Syrnyk, Senior Planner

CC:

Catherine Morrow, Principal Planner; Laurie Craghead, Assistant Legal Counsel

DATE:

August 7, 2003

SUBJECT:

August 13, 2003 Public Hearing on Ordinance 2003-078: Repeal of 2003

Coordinated Population Forecast.

The Board of County Commissioners will hold a public hearing at 10:00 a.m. on Wednesday, August 13, 2003 to take testimony on Ordinance 2003-078. You will find a copy of the proposed ordinance enclosed with this memorandum.

As proposed, this ordinance would repeal the coordinated population forecast the Board adopted through Ordinance 2003-001 in March of this year. This ordinance amended Section 23.16.020 of the Deschutes County Code, the Population chapter of the County's Comprehensive Plan, to replace a population forecast adopted in 1998 with the 2003 coordinated population forecast.

Paul Dewey, on behalf of the Sisters Forest Planning Committee, filed a timely Notice of Intent to Appeal to the Oregon Land Use Board of Appeals (LUBA) petitioning for judicial review of the forecast. The petitioner filed its brief before LUBA on July 7, 2003. Staff and Legal Counsel have reviewed the brief and believe that the petitioner has raised legitimate issues that are best addressed in a public process before the Board and for the purpose of improving the population forecast.

Staff recommends the Board adopt Ordinance 2003-078, with the emergency clause proposed, so Staff can begin coordinating with planning and legal staff of the cities of Bend, Redmond, and Sisters to address the issues raised in the appeal before a public hearing before the Board.

/DPS

REVIEWED

CODE REVIEW COMMITTEE

REVIEWED

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 23, the Deschutes County Comprehensive Plan, of the Deschutes County Code, to Repeal a Coordinated Population Forecast for Deschutes County and the cities of Bend, Redmond, and Sisters, Adopted through Ordinance 2003-001, and Declaring an Emergency.

ORDINANCE NO. 2003-078

WHEREAS, the Board of County Commissioners ("Board") adopted a revised coordinated population forecast for Deschutes County and the cities of Bend, Redmond and Sisters on March 26, 2003 through Ordinance 2003-001 after coordinating with the cities on the development of the forecast; and

WHEREAS, the amendments to Deschutes County Code (DCC) Section 23.16.020, Population, adopted through Ordinance 2003-001, became effective on June 25, 2003; and

WHEREAS, the Sisters Forest Planning Committee, one of the parties before the County, filed a timely Notice of Intent to Appeal to seek judicial review of this forecast before the Oregon Land Use Board of Appeals (LUBA); and

WHEREAS, the Board believes that is in the public interest to address the questions raised in the appeal before the people of Deschutes County; and

WHEREAS, the Board believes that it is in the best interest of the County to repeal the original ordinance adopting the forecast for the purpose of addressing the issues raised on appeal and adopting any new findings in support of the population forecast;

WHEREAS, ORS 197.610(2) authorizes a local government to submit an amendment to its comprhensive plan or land use regulations to the Department of Land Conservation and Development ("DLCD") "with less than 45 days' notice if the local government determines that there are emergency circumstances requiring expedited review; and

WHEREAS, the Board has determined that the need to address the issues raised in the appeal is an emergency circumstance requiring prompt repeal of the ordinance and, therefore, less than 45 days' notice to DLCD; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

PAGE 1 of 2 - ORDINANCE NO. 2003-078 (8/13/03)

Section 1. AMENDMENT. DCC 23.16.020 is amended to read as described in Exhibit "A," attached hereto and by this reference incorporated herein, with new language <u>underlined</u> and language to be deleted in strikethrough.

Section 2. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

DATED this	day of	, 2003.
		BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON
•	·	
		DENNIS R. LUKE, Chair
• • • • • • • • • • • • • • • • • • •		TOM DEWOLF, Commissioner
,		MICHAEL M. DALY, Commissioner
Date of 1 st Reading:	day of	, 2003.
Date of 2 nd Reading: _	day of	_, 2003.
	of Adoption Vote	
Dennis R. Luke	Yes No Abs	tained Excused
Tom DeWolf Michael M. Daly		
Effective date:	day of	, 2003.
ATTEST:	,	
Recording Secretary		

PAGE 2 of 2 - ORDINANCE NO. 2003-078 (8/13/03)

EXHIBIT "A"

23.16.020. Population.

ORS 195.025(1) requires the counties to coordinate local plans and population forecasts. Deschutes County coordinated with the cities of Bend, Redmond, and Sisters to develop a coordinated population forecast. In 1996, the cities Bend, Redmond, Sisters, and the county reviewed the most recent population forecasts from the Portland State University Center for Population Research and Census, the Department of Transportation, Woods and Poole, the Bonneville Power Administration and the State Department of Administrative Services Office of Economic Analysis. After review of these projections, the cities and Deschutes County agreed on the coordinated population forecast adopted by the County in 1998 through Ordinance 98 084 displayed in Table A. In 1998 or 1999, all three cities expect to adopt updated comprehensive plans. The cities will use the coordinated population forecast numbers in their revised comprehensive plans.

Between the years 1998 and 2020, the non-urban population is projected to increase by 30,842. This population forecast is based on an average household size of 1.95 persons. This household size is based on census data that shows a large percentage of retirement households and second homes in the non-urban county. The county calculated the capacity of the no-urban area to absorb the projected population based on the best estimate of the number of existing vacant lots plus the potential new lots that could be created under present zoning and land use regulations. The source for the numbers is a 1995 report prepared by the county: Land Use Inventory and MUA-10 & RR-10 Exception Areas. The numbers from this report were refined using county GIS data. Table B displays the potential new dwellings in exception areas, resort areas unincorporated communities, and exclusive farm use and forestland.

The five-year growth rate for non-urban population should decrease over time from approximately 24 percent in 1995 to 8 percent in 2020. This decline in growth rate will occur as available buildable lots in the county are used and the growth shifts to the available land in the urban areas.

The results of the 2000 decennial census and subsequent population estimates prepared by the Population Research Center (PRC) at Portland State University revealed the respective populations of the county and the incorporated cities were growing faster that contemplated under the 1998 coordinated forecast. Beginning in the fall of 2001, Deschutes County embarked on a process to update the coordinated population forecast. The County obtained a technical assistance grant from the Oregon Department of Land Conservation and Development (DLCD) and began work to coordinate an update of the coordinated forecast with the cities. Planning staff from the county, the three cities, and DLCD met several times between the fall of 2001 and early 2003 to coordinate the development of the updated population forecast.

The Oregon Office of Economic Analysis (OEA) provided a draft population forecast for Deschutes County that the County and the cities relied on in developing the forecast. The process through which the County and the cities coordinated to develop this forecast is outlined in the report titled "Deschutes County Coordinated Population Forecast 2000 2025: Discussion and Explanation" dated February 2003. This same report provided the findings in support of the forecast adopted by the Board of Commissioners in 2003. Table A displays the 2000 2025 coordinated population forecast.

Between the years 2000 and 2025, the County estimates the population of the unincorporated county will grow by 28,851 people, or 60 percent. This forecast assumes an average annual growth rate of 1.89 percent per year. The forecast shows the unincorporated county will continue to grow at rates slower than those of each city. This trend will continue throughout the life of the forecast as the County assumes that population growth will slow in the rural unincorporated portions of the County as available land is developed. During the last 10 years of the forecast, from 2015 to 2025, the County estimates that population growth will slow to a rate of approximately one (1) percent per year until the county reaches buildout or additional lands become available in either destination resorts or unincorporated communities.

EXHIBIT "A"

In the fall of 1998, the Oregon Water Resources Department acknowledged that virtually all groundwater in the Deschutes River basin discharges to the rivers of the basin. The Water Resources Department may place restrictions on the consumptive use of groundwater to protect the free flowing nature of the Deschutes River, instream water rights and existing water rights. These restrictions may affect the use of groundwater resources for future development and consequently affect the future growth and allocation of population in the County and the three urban jurisdictions.

PAGE 2 of 5 - EXHIBIT "A" TO ORDINANCE 2003-078 (8/13/03)

TABLE A
Deschutes County
Coordinated Population Forecast

	Bend UGB Redmond UGB Sisters		Sisters U	UGB Non-Urban County		Total			
		·				County			
		T ==:		l mi		r=:		13.	Population
Year	July 1st	<u>Five</u>	July 1st	<u>Five</u>	July 1st Population	<u>Five</u>	July 1st Population	Five Year	1
	<u>Population</u>	Year Increase	Population	Year Increase	Population	Year Increase	Population	<u>Increase</u>	
11990	32,550	<u> </u>	8,635	211070100	900	MOTOLOG	32,873		74,958
1995	39,720	22.03%	12,585	45.74%	945	<u>5.00%</u>	40,850	<u>24.27%</u>	94,100
1996	41,210						42,239		
1997	42,652						<u>43,675</u>		
<u>1998</u>	44,038						<u>45,160</u>	·	
<u>1999</u>	<u>45,359</u>						<u>46,695</u>		
2000	46,607	<u>17.34%</u>	<u>17,241</u>	<u>37.00%</u>	1,100	<u>16.40%</u>	48,283	<u>18.20%</u>	113,231
2001	<u>47,772</u>						<u>49,852</u>		
<u>2002</u>	<u>48,847</u>						<u>51,472</u>		
2003	<u>49,946</u>						<u>53,145</u>		
<u>2004</u>	<u>51,069</u>						<u>54,740</u>		
7005	52,193	<u>11.99%</u>	22,414	<u>30.00%</u>	<u>1,250</u>	13.64%	<u>56,382</u>	<u>16.77%</u>	132,239
<u> 106</u>	<u>53,341</u>						<u>57,932</u>		
<u> 2007</u>	<u>54,488</u>						<u>59,525</u>		
2008	<u>55,632</u>						<u>61,014</u>		,
2009	<u>56,801</u>						<u>62,447</u>		
2010	<u>57,937</u>	11.00%	28,241	26.00%	1,400	<u>12.00%</u>	<u>63,853</u>	<u>13.25%</u>	<u>151,431</u>
2011	<u>59,095</u>						65,225		
2012	60,218						<u>66,530</u>		
2013	<u>61,362</u>						67,794		
2014	<u>62,467</u>						<u>69,014</u>		
E018	63,591	9.76%	32,548	15.25%	1,550	10.71%	70,222	<u>9.98%</u>	<u>167,911</u>
<u>2016</u>	<u>64,672</u>						<u>71,451</u>		
2017	<u>65,772</u>						<u>72,594</u>		
2018	<u>66,758</u>						<u>73,756</u>		
2019	<u>67,760</u>	-					<u>74,899</u>		
2020	68,776	<u>8.15%</u>	35,845	10.13%	1,710	10.32%	<u>76,022</u>	8.26%	182,353

TABLE B
Deschutes County

Non-Urban Population Capacity					
Exception Area	<u>Potential</u>				
	New				
·	<u>Dwellings</u>				
Sisters RR10	<u>780</u>				
Sisters MUA10	<u>269</u>				
Terrebonne MUA10	<u>354</u>				
Tumalo MUA10	322				
Bend East MUA10	<u>188</u>				
Bend North/Tumalo RR10	390				
Redmond West MUA10	<u>303</u>				
Bend East RR10	<u>409</u>				
Redmond/Terrebonne RR10	<u>390</u>				
Deschutes River Woods	<u>999</u>				
La Pine North	<u>2,800</u>				
Sunriver South	<u>3,585</u>				
SUBTOTAL	<u> 10,789</u>				

Resort Areas	Potential New
	<u>Dwellings</u>
Sunriver	<u>650</u>
Black Butte	<u>100</u>
Eagle Crest	<u>300</u>
Inn at 7th Mountain/ Widgi	<u>117</u>
<u>Creek</u>	
SUBTOTAL	1,167

Unincorporated Communities	Potential
	<u>New</u>
	<u>Dwellings</u>
<u>Alfalfa</u>	<u>3</u>
<u>Brothers</u>	<u>5</u>
Deschutes Junction	4
Deschutes River Woods	<u>5</u>
Hampton	<u>6</u>
La Pine	<u>824</u>
<u>Millican</u>	<u>15</u>
Spring River	0
Terrebonne	<u>156</u>
<u>Tumalo</u>	<u>100</u>
Whistlestop	ମ୍ବା
Wickiup Junction	<u>10</u>
Wild Hunt	<u>0</u>
<u>SUBTOTAL</u>	<u>1,131</u>

Table A: 2003 Deschutes County Coordinated Population Forecast.

	Bend (JGB*	Redmon	d UGB	Sisters	UGB	Non-Urba	an County	Total
Year	July 1st	Five Yr.	July 1st	Five Yr.	July 1st	Five Yr.	July 1st	Five Yr.	County
	Forecast	Change	Forecast	Change	Forecast	Change	Forecast	Change	County
2000	52,800		15,505		1,100		48,283		117,688
2005	67,180	27.23%	21,582	39.20%	1,556	41.45%	53,56 4	10.94%	143,882
2010	76,211	13.44%	27,873	29.15%	2,200	41.39%	60,619	13.17%	166,903
2015	84,123	10.38%	34,795	24.83%	2,757	25.32%	67,427	11.23%	189,101
2020	93,712	11.40%	41,051	17.98%	3,394	23.10%	73,447	8.93%	211,604
2025	102,750	9.64%	4 7,169	14.90%	4,167	22.78%	77.134	5.02%	231,220

^{*} UGB means Urban Growth Boundary

Source for July 1, 2000 data: PSU certified population for cities and county GIS data for UGB areas and the rural population.

Source: Deschutes County Coordinated Population Forecast 2000 2025: Discussion and Explanation, February 2003 (Exhibit "B" to Ordinance 2003 001).

(Ord. 2003-078 § 1, 2003; Ord. 2003-001 § 1, 2003; Ord. 2000-017 § 1, 2000; Ord. 98-084 § 1, 1998; PL-20, 1979)

PAGE 5 of 5 - EXHIBIT "A" TO ORDINANCE 2003-078 (8/13/03)

EXHIBIT A PAGE 8

CERTIFICATE OF FILING

I hereby certify that on August 7, 2003, I filed Respondent's Motion to Dismiss with the Land Use Board of Appeals, 550 Capitol Street N.E., Suite 235, Salem, Oregon 97301-2552, by causing same to be placed in the U.S. Mail, Certified Mail No. 7003 1010 0000 6923 5535.

DATED: August 7, 2003.

Laurie E. Craghead, OSB # 92266 Of Attorneys for Respondent

CERTIFICATE OF MAILING/DELIVERY

I hereby certify that on August 7, 2003, I served a true copy of Respondent's Motion to Dismiss upon the parties listed below by causing same to be placed in the U.S. Mail, first class postage prepaid.

Paul D. Dewey 1539 NW Vicksburg Bend, OR 97701 Of Attorneys for Petitioner

DATED: August 7, 2003

Laurie E. Craghead, OSB # 92266 Of Attorneys for Respondent

CERTIFICATE OF FILING AND SERVICE

1	BEFORE THE LAND USE BOARD OF APPEALS	
2	OF THE STATE OF OREGON SEP10'03 AM 8:31	LUE
3 4	SISTERS FOREST	
5	PLANNING COMMITTEE,	
6	Petitioner,	
7	1 comonor;	
8	vs.	
9		
10	DESCHUTES COUNTY,	
11	Respondent.	
12		
13	LUBA No. 2003-058	
14		
15	FINAL OPINION	
16	AND ORDER	
17		
18	Appeal from Deschutes County.	
19		
20	Paul D. Dewey, Bend, represented petitioner.	
21		
22 23	Laurie E. Craghead, Assistant County Counsel, Bend, represented respondent.	÷
23 24	BRIGGS, Board Member; BASSHAM, Board Chair; HOLSTUN, Board Member,	
2 4 25	participated in the decision.	
26	participated in the decision.	
20 27	DISMISSED 09/10/2003	
28	DIGITION 07/10/2000	
2 9	You are entitled to judicial review of this Order. Judicial review is governed by the	
30	provisions of ORS 197.850.	

This appeal arises from the county's adoption of Ordinance 2003-001. Ordinance 2003-001 includes a revised population forecast for the cities and unincorporated areas located within Deschutes County. Deschutes County moves to dismiss this appeal, arguing that it is most because Ordinance 2003-001 was repealed by Ordinances 2003-078 and 2003-081 on August 13, 2003 and August 18, 2003, respectively. Petitioner objects to the dismissal of this appeal.

Ordinance 2003-078 adopts findings where the county concedes that assignments of error included in the petition for review in this appeal raise legitimate concerns regarding the county's revised population forecast, and that the county's repeal of Ordinance 2003-001 is part of the county's process to address those concerns. Ordinance 2003-081 specifically repeals Ordinance 2003-001.

LUBA will dismiss an appeal as moot, if LUBA's decision on the merits will have no practical effect. Davis v. City of Bandon, 19 Or LUBA 523, 524 (1990). Here, the county's decision to repeal Ordinance 2003-001 renders any opinion we may make on the merits of that ordinance merely advisory. Therefore, the proper disposition of this appeal is dismissal.

This appeal is dismissed.

¹ Ordinance 2003-078 states, in relevant part:

[&]quot;WHEREAS, the Sisters Forest Planning Committee, one of the parties before the County, filed a timely Notice of Intent to Appeal to seek judicial review of this forecast before the Oregon Land Use Board of Appeals * * *; and

[&]quot;WHEREAS, the Board [of Commissioners] believes that it is in the public interest to address the questions raised in the appeal before the people of Deschutes County; and

[&]quot;WHEREAS, the Board [of Commissioners] believes that it is in the best interest of the County to repeal the original ordinance adopting the forecast for the purpose of addressing the issues raised on appeal and adopting any new findings in support of the population forecast." Ordinance 2003-078, 1.

Certificate of Mailing

I hereby certify that I served the foregoing Final Opinion and Order for LUBA No. 2003-058 on September 10, 2003, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

Laurie E. Craghead Assistant Legal Counsel Deschutes County 1130 NW Harriman Bend, OR 97701

Paul D. Dewey 1539 NW Vicksburg Bend, OR 97701

Dated this 10th day of September, 2003.

Kelly Burgess

(Paralegal

Kristi Seyfried Administrative Specialist

January 6, 2004

To: Damian Syrnyk, Senior Planner

Long Range Planning Division

From: Mike Sequeira

Good morning, Damian

I have been reviewing the October 20, 2003 Draft Deschutes County Coordinated Population Forecast 2000-2025 and wanted to share some of my questions and comments.

The particular items I will be referring to are:

- Table 15, page 24 (Bend Population Forecast)
- Table 16, page 25-26 (Bend Historical Population Data)
- Table 19, page 30 (Redmond UGB Population Forecast)
- Table 20, page 31 (Redmond City Limit Population Data 1980 to 2002)
- Table 21, page 32 (Redmond City Limit Population Data Annexations)
- Table 32, page 39 (Population and Building Permit Forecasts for Sisters UGB: 2003 2025)

Summary of key points addressed

The key points that occurred to me as I read and reread the Coordinated Population Forecast included

- 1. There is substantial inconsistency from section to section of the report. While that is understandable to some degree because different jurisdictions used different approaches in determining their forecasts, in terms of ultimate usefulness and readability it would be valuable if there were consistency of layout in presentation from section to section. Perhaps each section might be organized under consistent subheadings: Assumptions, Rationales, Description of Methodologies, Presentation of Data in Tables, Projections and Conclusions.
- 2. Assumptions used by jurisdictions are inconsistently stated, explained, and applied.
- 3. Rationales for growth rates chosen in forecasts are unexplained and unjustified.
- 4. In the case of Redmond's report, there seem to be significant calculation errors. For example, their reported projected population in 2025 is 47,169; according to my calculations that projection is 45,009; and if Bend's approach were applied, the projection is 36,568.

As an illustration of inconsistency of presentation of data, in the discussion before Table 15 and in the table itself it is noted that in forecasting the annual growth rates for 2003-2005, an average of the Bend historical population data for the years 1991-2002 is used; and in forecasting the annual growth rates for 2006-2009, an average of the Bend historical population data for the years 1980-2002 is used. One small point: based on the data in Table 16, those averages are actually for 1991-2001 and 1980-2001, respectively.

Actually, I think my confusion is caused by the way the information in the table is presented. For any given year, the annual percent change figure listed for Bend is the change for the *next* year. On Table 20 for Redmond City Population Data, for any given year, the annual percent change figure listed is the change for the *previous* year. A brief line of explanation and consistency between the two tables would be helpful to the reader. I realize that each jurisdiction approached the task with different, independent approaches. Nevertheless, consistency throughout the report in presentation of baseline data tables would be an improvement to the overall readability of the report.

Bend Population Data

In examining the data in Table 16 and checking the calculations of annual percent change, it took me a while to realize that the percent change column used population numbers *excluding* the persons annexed. My calculations suggest that in Table 21 a similar assumption was used, though that is less clear. I think this is an appropriate approach since including persons annexed would dramatically skew the annual percent change values upwards. This is particularly true for Redmond, since from 1980-1992, apparently, there are no data concerning the number of persons annexed.

For example, the percent change in Bend from 1990 to 1991 uses the 1990 population of 20,469 and the 1991 population of 22,505-351 = 22,154 (actual population less persons annexed) to calculate the percent change:

annual percent change
$$1990-1991 = \frac{22,154-20,469}{20,469}x100 = 8.23\%$$

I think it would be helpful to clarify the calculations in these tables if

- 1. the exclusion of annexed persons and rationale for that decision were explicitly stated in the paragraph above the tables; and
 - 2. a sample calculation were included, either in that same paragraph or as a footnote or in an appendix.

The "methodology" used in developing the forecasts of the report has been referred to numerous times at the public meeting and throughout the report. To me, methodology includes a list of key assumptions, the rationales behind those assumptions, and the computational methods used to generate conclusions. In general, I think all these areas of the report could be improved.

For example, I first ran the numbers using the annual growth rates in Table 15 and found close, but not exact agreement with the forecasts in Table 15.

Bend population forecasts computed using annual growth rates given in Table 15:

	Communicati	Annual
Year	Computed Forecasts	Growth Rate
2000	4594470000000000000000000000000000000000	er ^{er} en en Cillacola IIII de la Cillacola III
2001	52,800 55,081	N/A 4.32%
2001	57,752	4.32 <i>%</i> 4.85%
2002	60,490	4.74%
2004	63,357	4.74%
2005	66.360	4.74%
2006	68,696	3.52%
2007	71,114	3.52%
2008	73,617	3.52%
2009	76,209	3.52%
2010	78,045	2,41%
2011	79,934	2.42%
2012	81,868	2.42%
2013	83,850	2.42%
2014	85,879	2.42%
2015	87,957	2,42%
2016	90,007	2.33%
2017	92,104	2.33%
2018	94,250	2.33%
2019	96,446	2.33%
2020	- ' 98,693	2.33%
2021	100,420	1.75%
2022	102,177	1.75%
2023	103,965	1.75%
2024	105,785	1.75%
2025	107,636	1.75%

That brings me to my next point, the use of the 1991-2001 and 1980-2001 averages to make projections in Table 15. What rationale was used to choose those particular averages for the particular projected timeframes (2003-2005 and 2006-2009)? Fundamentally, my sense is that there is really no precise answer to this question. Why, for example did the report not use the 1970-2001 average instead of the 1980-2001 average as "long-term average" since the data were available? And why was the average applied to the 2006-2009 forecasts instead of, say, the 2006-2014 forecasts or any of the many other possibilities?

While it may not be possible to point to any *mathematical* or scientifically agreed upon rationale here, a statement of some sort would be useful to understand the underlying assumptions used in making these and other choices. Again, my gut reaction suggests that these choices were made after a great deal of discussion among competent professionals in the planning department. And while it may be difficult to distill the details of those discussions, it would prove interesting to try to formulate the thrust of those discussions. While other

interpretations are probably possible, once assumptions are stated clearly and methodologies precisely outlined, conclusions should follow. While parties to the process may continue to disagree and negotiate assumptions, knowing exactly what those assumptions are would go a long way to dispelling many concerns.

Redmond Population Data

I would now like to comment on the part of the report presented by the Redmond jurisdiction. I must say that the discussion beginning on page 29 is vastly superior to the initial Redmond report in the February, 2003 document which was woefully inadequate and incomplete. That said, there are still concerns. As I did for Bend, I first ran the numbers using the annual growth rates given in Table 19. Rather than close agreement as I found for Bend, I found quite different results than those shown in Table 19. In particular, using Table 19 growth rates led to a population forecast for 2025 of 45,009 rather than 47,169 in the original table. That amounts to almost a 5% difference.

Redmond population forecasts computed using annual growth rates given in Table 19:

		Annual
	Computed	Growth
Year	Forecasts	Rate
2000	15,505	N/A
2001	16,714	7.8%
2002	17,834	6.7%
2003	18,958	6.3%
2004	20,095	6.0%
2005	21,221	5.6%
2006	22,388	5.5%
2007	23,552	5.2%
2008	24,730	5.0%
2009	25,892	4.7%
2010	27,057	4.5%
2011	28,329	4.7%
2012	29,603	4.5%
2013	30,876	4.3%
2014	32,142	4.1%
2015	39,428	4.0%
2016	34,698	3.8%
2017	35,878	3.4%
2018	37,026	3.2%
2019	38,174	3.1%
2020	39,319	3.0%
2021	40,459	2.9%
2022	41,592	2.8%
2023	42,715	2.7%
2024	43,868	2.7%
2025	45,009	2.6%

Conversely, if one assumes that the population forecasts in Table 19 are correct and calculates the corresponding annual growth rates, those rates differ from those presented in Table 19. I am not sure how to reconcile these differences.

Redmond annual growth rates computed using population forecasts given in Table 19:

		Computed
	-	Annual
		Growth
Year	Forecasts	Rate
2000	15,505	N/A
2001	16,720	7.84%
2002	17,935	7.27%
2003	19,150	6.77%
2004	20,365	6.34%
2005	21,582	5.98%
2006	22,840	5.83%
2007	24,098	5.51%
2008	25,356	5.22%
2009	26,614	4.96%
2010	27,873	4.73%
2011	29,257	4.97%
2012	30,641	4.73%
2013	32,025	4.52% .
2014	33,409	4.32%
2015	34,795	4.15%
2016	36,046	3.60%
2017	37,297	3.47%
2018	38,548	3.35%
2019	39,799	3.25%
2020	41.051	3:15%
2021	42,275	2.98%
2022	43,499	2.90%
2023	44,723	2.81%
2024	45,947	2.74%
2025	47.169	2.66%

On page 29 under the city of Redmond Population Forecast, mid-term (1990-2002) and long-term (1980-2002) historic population changes are noted as "Data sources used in developing the population forecast for the Redmond UGB area." However, unlike the *use* of these data in calculating forecasts presented in the Bend section, I see no actual calculation of those mid-term and long-term averages for Redmond. Nor do those results seem to play any role in the development of forecasts in the Redmond section of the report.

The population forecasts in Table 19 do not make use of those averages. This table is quite puzzling for several reasons. First, this table refers to the Redmond UGB Population Forecasts while all the data presented refer to Redmond city limit populations. No explanation or relationship is established or discussed between the UGB and Redmond city limits data. Second, the annual growth rates used for population forecasts in Table 19 are nowhere

explained. Third, there is no rationale stated or even implied for the different annual growth rates used in Table 19.

Why, for example, do the annual growth rates decrease in value each year since 2001 by varying amounts except for 2010-2011 when the rate *increases* by 0.2%? Again, referring to Table 15 the city of Bend made explicit use of its mid-term and long-term average growth rates to compute projections through 2010 and then explicitly shifted to agree with the OEA averages. I've discussed my questions about the use of those numbers earlier, but in the case of Table 19 much larger questions seem to go unaddressed.

I found the footnotes to Table 19 to be utterly confusing and in need of clarification. For example, the footnote marked with ** reads, "The 5 year growth rate increases were derived by taking the difference between the 5 year periods, and dividing this number by the baseline number for each 5 year interval."

The paragraph following Table 19 seems embarrassingly trivial compared to the lack of any serious attempt to explain methodology throughout the rest of the Redmond report. In my opinion, explaining in words and symbols that 15,216 = 13,770 + 1,446 is hardly worth the space.

While there is apparently no requirement that Redmond use Bend's assumptions about changing growth rates illustrated in Table 15, it is interesting to see what the Redmond forecasts would be if this set of assumptions were applied to Redmond.

That is, if one applies the average growth rate for Redmond from 1990-2002 (7.05%) to forecast populations from 2003 – 2005 and also applies the average growth rate for Redmond from 1980 - 2002 (4.30%) to forecast populations from 2006-2009 and the OEA Average Growth Rates for Deschutes County to forecast populations from 2010 – 2025, the following table shows the dramatic long-term differences from the actual report.

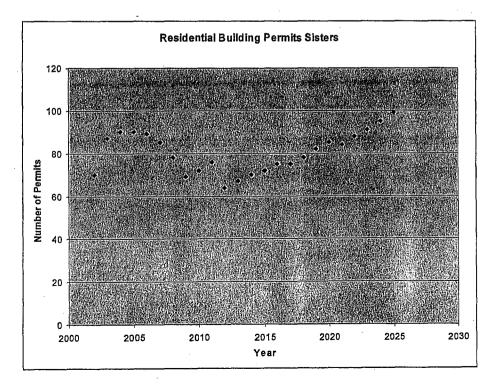
Redmond population forecasts computed using annual growth assumptions used in Table 15, Bend:

		Annuai
	Computed	Growth
Year	Forecasts	Rate
2000	15,505	N/A
2001	16,714	7.80%
2002	17,834	6.70%
2003	19,092	7.05%
2004	20,438	7.05%
2005	21,878	7.05%
2006	22,819	4.30%
2007	23,800	4.30%
2008	24,824	4.30%
2009	25,891	4.30%
2010	26,515	2.41%
2011	27,157	2.42%
2012	27,814	2.42%
2013	28,487	2.42%
	*	

2014	29,177	2.42%
2015	29,883	2.42%
2016	30,579	2.33%
2017	31,291	2.33%
2018	32,020	2.33%
2019	32,767	2.33%
::2020	33,530	2.33%
2021	34,117	1.75%
2022	34,714	1.75%
2023	35,321	1.75%
2024	35,939	1.75%
2025	36,568	1 750

Sisters Population Data

Finally, I have a question concerning the approach used by the Sisters jurisdiction. Yet another set of assumptions, rationales, and computational methods has been applied to create the forecasts. Most glaring are the projected residential building permits through 2025 noted in Table 32. The footnote does not help clarify the ups and downs of the forecast building permits. At the public meeting I attended on November 6, 2003 I recall the response by a representative from Sisters to a question from Paul Dewey about the projected forecast of building permits in the future. The question, as I recall, concerned how those numbers were determined. The response was something about "regression to the mean" or something similar. I have questioned my colleagues in statistics about the meaning of that phrase and they could not explain what it meant nor how it might apply to the projections presented. Again, this confirms my uneasiness about the unclear methodologies used by the various jurisdictions in preparing their forecasts.



I do find it fascinating that each jurisdiction chose significantly different approaches to the problem of population forecasting. Given the diversity of methods, it would seem some attempt at a unifying explanation would be appropriate. From a lay reader's perspective, I find it frustrating to realize that the diverse methods result in equally diverse forecasts throughout the report. As the table on the previous page showed, by applying one jurisdiction's strategy to a different jurisdiction can lead to dramatically different conclusions. Without some overriding agreement as to assumptions, rationales, and computational methods it appears just as reasonable to apply any jurisdiction's approach to the other jurisdictions, with wildly different conclusions.

In summary, I think this version of the report is a vast improvement over the February, 2003 report and appreciate the opportunity to help clarify other details. I know that some of my concerns are simply picky details, but I have tried to point those items out, as well as issues of more substance in the hope of helping to make the final document as clear as possible for interested decision makers as well as the general public who take your work as seriously as do the crafters of the report.

Marci Todl

Mollie me

(#1316)

RECEIVED

DEC 3 0 2003

Oregon Outback Rural Fire Protection District O.O.R.F.P.D.

BLM PRINEVILLE DISTRICT 12/26/03

To Whom It May Concern:

O.O.R.F.P.D. is a newly formed fire district located in North Klamath County (see attached map). We are requesting that we are able secure a section of property located within our district for the purpose of a Fire House/Community Center. In addition, we plan to install a Heli-pad for emergency purposes. Chris Mickle of the U.S.F.S. has expressed interest in utilizing the facility for parking Forest Service vehicles. Walker Range Fire Protection Dist. has expressed the same.

At this point, we are looking for an adequate amount of property (50 acres) not only for today, but also to comply with our 20year projection for the community. The property of interest is located in the "middle" of our district in the Township of 23 South, R 10East, Section 27, adjacent to and East of Beal Rd and West of BLM Rd 3386. This location will give us the ability of a prompt response time to not only structure fires and emergency services, but to wild land fires as well. The location makes it a prime area for a State or Federal Command Center and will allow us to support fire fighters with adequate water, power and camping facilities in the event of a wild fire.

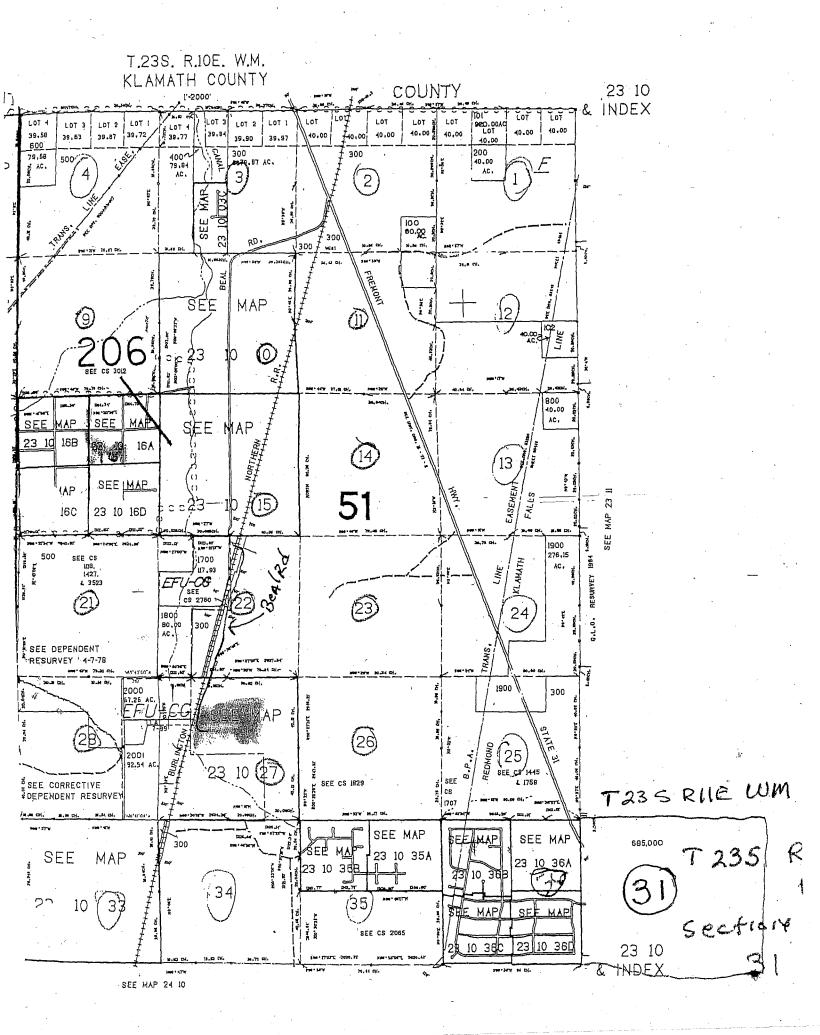
We look forward to your support.

Included: Feasibility study as presented to Klamath County

O.O.R.F.P.D.

Jeff Coiner Steering Committee Chair

I thought that you would want to SEE this proposal. It is their intention to apply for a RAPP Leave in the buture. This was submitted so that It would make it within the Upper It would make it within the Upper DESCHUTES Planning Effort another alternature, old Lapine Roder Grounds, alternature, old Lapine Roder Grounds, Thas also been discussed with them by



Oregon Outback Rural Fire Protection District Serving Northeastern Klamath County

To: Klamath County Commissioners

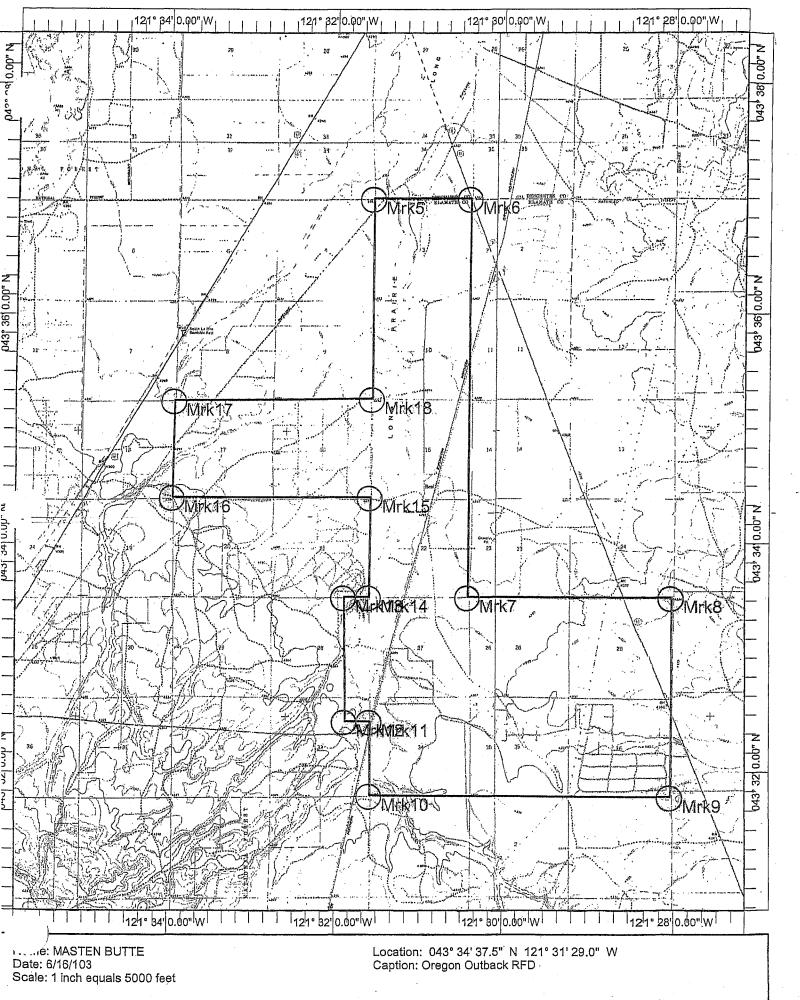
Re: Operating budget(s) for O.O.R.F.P.D.

We as constituents of Northeastern Klamath County respectfully submit to you, our Board of Commissioners, the proposed operating budget for years 1 and 3. The following information was extrapolated from a variety sources including in no particular order, straw polls, tax rolls, assed values furnished by Klamath County, voter registration and compilation of information from contingent Fire Protection agencies.

The numbers submitted herein are within our financial needs to operate, given the size of our community. We have ascertained that our proposed district has a total of 611 build-able lots of which 252 have residences currently on them. Presently, we are @ 30% of maximum saturation for an area of approximately 35 sq.mi. We are growing at a rate of 17.6 homes per year or 14.3% of our total.

Our budget was modeled after the Crescent Lake Junction Rural Fire Protection District's. The numbers were reduced to meet our tax base and needs. Our information came from a variety of sources including, but not exclusively:

- R.D. Buell –Walker Range Forest Protective Association
- Chief Jim Court-La Pine Fire Department
- Bill Gibbs-Crescent Lake Junction Rural Fire Protection District
- Rex Lesueur-Bancorp Insurance
- Klamath County Assessors Office
- Danine Dail Klamath County Commissioners Office
- Klamath County Recorders Office
- Chris Mickle-USFS Prineville- in charge of fire suppression
- Fire Chief Jeff Larkin- Crescent Fire Protection District
- Klamath County Building Department



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In accordance with ORS 198.749

1. A description of the services and functions to be performed or provided by the proposed district.

Oregon Outback Rural Fire Protection District will:

- a. Be first response in the event of a train or traffic accident and any other accident requiring our services.
 - 1. To secure the situation until contract services arrive.
- b. Home or business injury, including but not limited to: Heart attacks, seizures, strokes, falls, broken bones, and head injuries. To secure the situation until contracts services arrive from La Pine rural fire District. (La Pine).
- c. Home and structure fires including out buildings.
- d. First response to land wild fires and aid to Walker Range Fire Protection District.
- e. To have a reciprocal agreement with adjacent fire protection agencies.
- 2. An analysis of the relationships between those services and functions and other existing or needed government services.
 - a. La Pine fire will respond from out of county and will bill the homeowner.
 - b. La Pine Fire will only respond to a fire in our district, if there are no other emergencies in theirs.
 - c. La Pine fire will only respond to structure fires unless requested by Walker Range Fire Protection District.
 - d. Walker Range Fire Protection District wild land fires only. No structures.— We will work in concert with Walker Range.
 - e. No other protection or agencies.

Bhort Name: M00009

Coordinates: 043° 31' 46.6" N, 121° 28' 00.6" W

Steering Committee For the proposed Oregon Outback Rural Fire Protection District

Our straw poll was conducted during the month of March 2003 and is updated monthly. Six housing developments make up the proposed fire district area. The poll was developed in order to focus on two main areas of information. The first area was to obtain information pertinent to the formation of a rural fire protection district.

The results and findings are as follows:

- 1. We have a total of 250 homes. (5-28-2003)
- 2. A population of 410 people consists of 252 registered voters, 88 non-registered voters and 68 children.
- 3. The Klamath County active voters list is over 97 percent.
- 4. The residents in favor of forming a rural fire protection district are 319 in favor (93.5 percent) with 14 opposed and 8 undecided. It was explained to each person polled that a tax range from 2.25 to 2.60 per thousand dollars of assessed property value would be needed in order to maintain an operating budget.
- 5. We gathered 127 letters with a total of 236 signatures that have been written by the residents and organizations in support of this undertaking.
- 6. A total of 228 residents have volunteered to help with the fire district formation process, community center operation, volunteer emergency medical technicians and as volunteer fire fighters. (The volunteers are aware that some of the duties will require many hours of study and training in order to meet the requirements set by the county and state.)

The second area of the poll was to assemble a site database that would provide information for each residence or lot. Information that would aid and assist our fire fighters, paramedics and Walker Range fire fighters included:

- 1. The number(s) of children and age(s) along with location(s) of their bedroom(s) in the home.
- 2. Location(s) on the property of fuel tanks, propane tanks and hazard material (chemical, gunpowder, oxygen tanks etc.) storage area(s).
- 3. The number of residents (36) that would require additional assistance in case of an emergency (Wheelchair, elderly requiring special attention, oxygen etc.)
- 4. The number (404) and types of animals on the properties.
- 5. Additional water (Pond, pool or additional well) on the property.
- 6. The number of fire extinguisher(s) and smoke detector(s) in the home.

Information on an additional 58 homes is still being gathered and breaks down with the following numbers:

- 1. 12 Homes missed (not home, on vacation or out of town on business).
- 2. 13 Homes belonging to snowbirds. (Will be contacted when they return this summer.)
- 3. 8 Homes with no trespassing signs.

- 4. 22 Vacant homes. (New owners will be contacted when they move into the home.)
- 5. 3 Summer homes (Will be contacted this summer).

Our summer fire patrol will contact the 28 homes missed and complete the poll. The fire patrol will also maintain and update our site database as homeowners move in and out of our rural protection fire district.

The poll was conducted with volunteers from the six developments. The attached two forms (Form 1-2 and Form 2-2) list the questions that were asked and the information we supplied at the time of the poll.

Additional information taken after the initial poll on some missed residences has been gathered with no noticeable change in the percentages.

Respectfully Submitted

Oregon Outback Rural Fire District

Available Cash on Hand Net Working Capital Previously levied taxes estimated to be received Interest Other Resources Community Room Rent Donations Earnings- Services Rendered Grants EMS Total Cash Resources Total Cash Resources Total Total Total Total Total Total Total resources, except taxes to be levied Taxes necessary to balance budget Total Resources	Resource Description (Income)
	Pro Fire
\$1,000 \$1,000 \$1,000 \$1,000 \$1,000 \$1,000 \$1,928,00 \$38,250 \$36,322.00 \$36,322.00	First year budget Proposed by Budget Officer
	Third year budget
\$1 \$1 \$0 \$0 \$110 \$1,100 \$1,100 \$1,500 \$1 \$6,715 \$35,360 \$42,075 \$2,120 \$2,120 \$39,955	

OREGON OUTBACK RURAL FIREW DISTRICT

First year budget PROPOSED BY BUDGET OFFICER

Description

Third year budget

\$550.00 \$4,400

\$1,925 \$275

MATERIALS AND SERVICES (Expenses)

\$1,200.00 Bandages / medical supplies \$1.00 N/A \$1.00 N/A \$1.00 N/A \$500.00 Cost of fighting fires \$4,000.00 SE \$1,750.00 SE \$1,750.00 Photo copies/postage \$1.00 N/A \$200.00 Legal assistance \$3,500.00 Basic training for Volunteers \$2,500.00 Upgrades for Volunteers \$1,500.00 Radio's \$7,464.00 Fee's, studies & permits \$2,300.00 Turn out gear, hoses \$98.00 fax machines, additional phone lines \$1,250.00 Total loss of equipment \$1,250.00 Total loss of equipment	Vehicle Lease Purchase Vehicle Replacement Fund Communication Equipment Replacement Fund	Pire Equipment	Building Fund Projects	Communication Equipment	Vehicle Fund	Volunteer Maintenance	Training	Telephone	Professional Services	Power and Heat	Office Expense	Insurance	Fuel and Vehicle Repair	Fire Operation Expense	Community Room Expense	Communication Maintenance	Building Maintenance	Rescue Vehicle Medical Supplies
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Bandag N/A N/A N/A Cost of SE Photo o N/A Legal a SE Basic th Upgrad Fund for Radio's Fee's, o Turn ou fax may Special Total lo	\$100.00 \$1,250.00 \$1,250.00	\$2,300.00	\$7,464.00	\$1,500.00	\$8,796	\$2,500.00	\$3,500.00	\$900	\$200.00	\$1.00	\$250.00	\$1,750.00	\$4,000.00	\$500.00	\$1.00	\$1.00	\$1.00	\$1,200.00
	Special Total Ic	Turn out gear, hoses								_	_	SE	SE	Cost of	N/A	N/A		Bandages / medical supplies

\$36,322.00

SE=Self explanatory N/A= Not applicable

\$39,955

\$1 \$273 \$990 \$3,850 \$2,750 \$1,650 \$1,650 \$8,210 \$2,530 \$110 \$1,375

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Business Name Search

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New Search	Printer Friendly	Name History				
	Business Entity	Name	Name Type	Name Status	Start Date	End Date
OREGON OUT	BACK RURAL FIRE PRO	OTECTION DISTRICT	EN	CUR	06-03-2003	
OREGON OUT	BACK RURAL FIRE DIS	TRICT	EN	PRE	03-25-2003	06-03-20-

1	Date	•	Date	Date		Change		
ſ	^<-03- 03	ARTICLES OF CORRECTION	06-03-2003	,	FI	Name		
	-J-25- 2003	ARTICLES OF INCORPORATION	03-25-2003		FI	Agent	,	

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May 27, 2003

OREGON OUTBACK RFPD BETTIE EGERTON PO BOX 1218 LAPINE OR 97739

RE: VFA/RFA Grant Program

Department of Forestry

State Forester's Office 2600 State Street Salem, OR 97310 503-945-7200 FAX 503-945-7212 TTY 503-945-7213 / 800-437-4490 http://www.odf.state.or.us



I am pleased to inform you that your department has been awarded the following fire assistance grant(s) from the federal government:

- Volunteer Fire Assistance (VFA)
- Total amount of grant: \$5,000
- Project: Training expenses for 47 and an instructor to give gen instruction to operating vol fire dept

In reviewing the grant requests for VFA and RFA funding, the review team used data from the latest Oregon State Fire Marshal Annual Report. The team looked at the number of responses reported by a fire department. They also used the latest Oregon Fire Service Resource Directory to identify the number of resources available to a fire department, i.e., firefighters, engines, brush trucks, and water tenders. This information proved valuable in supporting funding decisions. It was noted that some of the requesting departments were not reporting any information to the Office of State Fire Marshal. The requesting fire departments that have not been reporting can do so by contacting OSFM, (503) 373-1540. Information gained through these reports will be an important part of the decision process when these grants are available in the future.

Please read this letter carefully as it explains how and when you will receive the grant payment. Note particularly the time frames, the maximum award per item, the documentation procedures, and the difference in matching amount between the two types of grants.

The VFA grant dollars are provided by the USDA-Forest Service and the RFA grant dollars are provided by the USDI-Bureau of Land Management, the U.S. Fish and Wildlife Service, and the National Park Service. The Oregon Department of Forestry administers the grant program, assisting in allocation, notification, tracking, document reconciliation, and payment to fire departments.

I am pleased to report we had much interest in the expanded grant program this year. We received applications for over twice the amount of grant funds we had to award.



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I am pleased to inform you that your department has been awarded the following fire assistance grant(s) from the federal government:

- Volunteer Fire Assistance (VFA)
- Total amount of grant: \$3,000
- Project: Establish new fire district,legal/filing fees, mailings, printing, consultation services

In reviewing the grant requests for VFA and RFA'funding, the review team used data from the latest Oregon State Fire Marshal Annual Report. The team looked at the number of responses reported by a fire department. They also used the latest Oregon Fire Service Resource Directory to identify the number of resources available to a fire department, i.e., firefighters, engines, brush trucks, and water tenders. This information proved valuable in supporting funding decisions. It was noted that some of the requesting departments were not reporting any information to the Office of State Fire Marshal. The requesting fire departments that have not been reporting can do so by contacting OSFM, (503) 373-1540. Information gained through these reports will be an important part of the decision process when these grants are available in the future.

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State Forester's Office 2600 State Street Salem, OR 97310 503-945-7200 FAX 503-945-7212 TTY 503-945-7213 / 800-437-4490 http://www.odf.state.or.us



I am pleased to inform you that your department has been awarded the following fire assistance grant(s) from the federal government:

- Volunteer Fire Assistance (VFA)
- Total amount of grant: \$10,000
- Project: Equipment rental to finish construction of pond, pumps, FEPP tender, repair

In reviewing the grant requests for VFA and RFA funding, the review team used data from the latest Oregon State Fire Marshal Annual Report. The team looked at the number of responses reported by a fire department. They also used the latest Oregon Fire Service Resource Directory to identify the number of resources available to a fire department, i.e., firefighters, engines, brush trucks, and water tenders. This information proved valuable in supporting funding decisions. It was noted that some of the requesting departments were not reporting any information to the Office of State Fire Marshal. The requesting fire departments that have not been reporting can do so by contacting OSFM, (503) 373-1540. Information gained through these reports will be an important part of the decision process when these grants are available in the future.

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I am pleased to report we had much interest in the expanded grant program this year. We received applications for over twice the amount of grant funds we had to award.

VFA/Rfa Grant Award Letter Page 2

VFA & RFA Grant Documentation June 1, 2003

- The grant funds are paid after your fire district completes the necessary project. For instance, if you are building a brush rig, the project funds must be expended or encumbered by December 31, 2003.
- The full qualifying period for documentation is from 10/1/02 until 12/31/03. If you
 have costs associated with an approved project anytime during this period, those
 costs are applicable for cost reimbursement.
- The matching amount for VFA grants is 50%. In order to get the full amount of the grant, you must send in your cost documentation for the full amount of the <u>project</u>...
 We will then reimburse you for 50% of the qualifying costs up to the full grant award.
- The matching amount for RFA grants is 10%. In order to get the full amount of the grant, you must send in your cost documentation for the full amount of the <u>project</u>.
 We will then reimburse you for 90% of the qualifying costs up to the full grant award.
- The maximum grant reimbursement allowed on certain items is: Portable radio-\$750, mobile radio-\$900, Wildland boots-\$100 (per pair), Wildland PPE-\$300(per set), Turnouts (head to toe), \$1,000. Please keep this in mind when purchasing.
- The dollars can be paid to you when appropriate documentation is provided to ODF.
 Appropriate documentation must pertain directly to the project approved, be within the date period indicated, and be requested prior to <u>January 15, 2004</u>. The documentation can be in the form of:
 - Invoices of fire district funds paid/encumbered-for the project, and/or
 - A list of volunteer names, dates, duties, and hours expended on the project, with an appropriate hourly assumed wage. A wage range of \$12-15 per hour is appropriate for common labor tasks, you may use a higher rate, common to your area, for more specialized tasks. We suggest using \$12-15 per hour for time
 - You can expect the funds within six weeks of ODF reviewing and approving the documentation
- If you have any questions regarding the grant award or documentation, you may call me @ (503) 945-7341 or email sboro@odf.state.or.us. Send all documentation to my attention. Thank you.

Sincerely,

Sandi Boro

VFA/RFA Grant Coordinator Protection from Fire Program Walker Range Fire Patrol Association P.O. Box 665 ** Gilchrist, Oregon 97737 135393 Hwy, 97 N, Crescent, Oregon 97733 Phone 541-433-2451 / 541-433-2215

May 19, 2003

Klamath County Commissioner's Steve West 409 Pine, 2nd Floor Klamath Falls, Oregon 97601

RE: Oregon Outback Rural Fire Protection District

I'm writing this letter in support of the formation of Outback RFPD in Northern Klamath County. This area is one of the last structurally unprotected urban interface areas in North County. The formation of this district would be a great asset to the residents who own property within this area and also to the wildland fire organizations in Northern Klamath County.

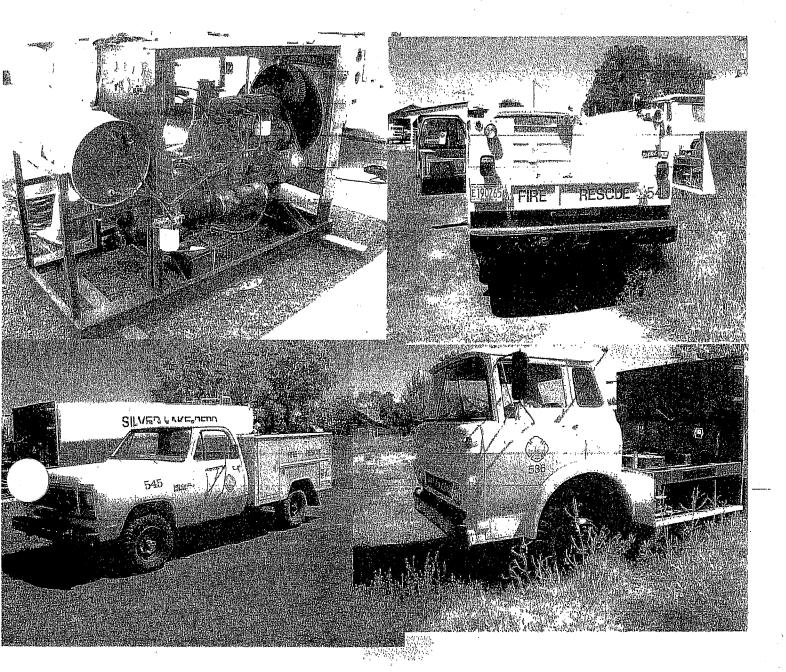
I have acquired equipment for the District but they need to be formed as a legal fire district prior to this equipment being turned over to them. To date this equipment includes a 1000 gailon brush engine from the US Forest Service, fire protection gear and a 5000 gallon water tender from Silver Lake RFPD along with Chemult RFPD donating fire hose, nozzles and fittings.

I'm asking that our County Commissioner's put the Oregon Outback RFPD on the fast track to get this fire district established.

If you have any questions don't hesitate to contact me.

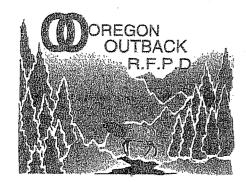
Sincerely

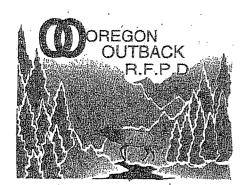
R.D. Buell District Manager

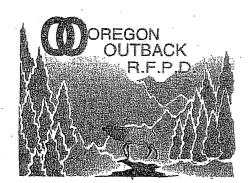


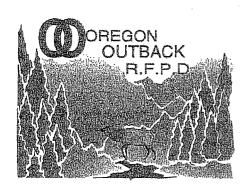


Above left the donated diesel water punmp<1200 gpm>for the dipping pond..Right and below, the tender and utility truck already donated to the O.O.R.F.P.D. Fire district.







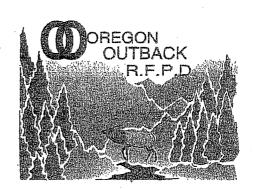














OREGON OUTBACK RFPD **VOLUNTEER COMMITTEE'S**

1.	Petition Committee	CHAIRPERSON: Bill Leech
2.	Fire Prevention Committee	CHAIRPERSON:
3.	Grant Committee	CHAIRPERSON: Bettie Edgerton
4.	Volunteer Committee	CHAIRPERSON: Nina Sterling
5. ·	Fire Patrol Committee	CHAIRPERSON:
6.	Maintenance & Equipment Committee	CHAIRPERSON: Bill Leech
7.	NERT Committee	CHAIRPERSON: David Edgerton
8.	Building/Site Committee	CHAIRPERSON: Jeff Coiner
9	Fundraising/PR	CHAIRPERSON: Leanne Cakus
10.	Billboard Sign Committee	CHAIRPERSON: Ben Ives

Walker Range Fire Patrol Association P.O. Box 665 ** Gilchrist, Oregon 97737 135393 Hwy. 97 N, Crescent, Oregon 97733 Phone 541-433-2451 / 541-433-2215

May 19, 2003

Jeff Coiner Oregon Outback RFPD Budget Review

Jeff:

Your budget looks more than adequate for this phase of the inception of a rural fire district. There will be further development of the budget in the years to come. This budget should satisfy the County Commissioner's and the fiscal management within the County System.

Sincerely,

R.D. Buell

District Manager

Keno Rural Fire Protection District

May 27, 2003

Jeff Coiner Oregon Outback Rural Fire Protection Dist Re: Budget evaluation

Your budget is more than adequate at this stage of formation. It's difficult to derive anything more detailed prior to existence. Of course as time progresses, a more thorough budget will be required. You have established your proposed tax base and area within your district.

John Ketchum, Fire Chief

KRFPD

Name: Mrk5

Short Name: M00005

Coordinates: 043° 37' 00.1" N, 121° 31' 32.0" W

Name: Mrk6

Short Name: M00006

Coordinates: 043° 37' 00.2" N, 121° 30' 22.1" W

Name: Mrk7

Short Name: M00007

Coordinates: 043° 33' 32.0" N, 121° 30' 22.8" W

Name: Mrk10

Short Name: M00010

Coordinates: 043° 31' 47.3" N, 121° 31' 33.3" W

Name: Mrk11

anno. minti

Coordinates: 043° 32' 26.3" N, 121° 31' 33.6" W

Name: Mrk12

Short Name: M00012

Short Name: M00011

Coordinates: 043° 32' 26.1" N, 121° 31' 50.8" W

Name: Mrk13

Short Name: M00013

Coordinates: 043° 33' 31.8" N, 121° 31' 51.7" W

Name: Mrk14

Short Name: M00014

Coordinates: 043° 33' 32.0" N, 121° 31' 34.2" W

Name: Mrk15

Short Name: M00015

Coordinates: 043° 34' 23.8" N, 121° 31' 33.2" W

Name: Mrk16

Short Name: M00016

Coordinates: 043° 34' 23.8" N, 121° 33' 55.7" W

Name: Mrk17

Short Name: M00017

Coordinates: 043° 35' 15.0" N, 121° 33' 54.2" W

Name: Mrk18

Short Name: M00018

Coordinates: 043° 35' 16.0" N, 121° 31' 32.3" W

Name: Mrk8

me, wiko

Short Name: M00008

Coordinates: 043° 33' 31.1" N, 121° 27' 59.6" W

Name: Mrk9

Thomas & Nina Sterling March 28, 2003

We live in an area of Northern Klamath County that is unprotected for structure fires. The formation of this district will service our area included in the six unprotected communities; Sunforest Estates, Antelope Meadows, Beal Road Properties, Howard Estates, Split Rail Properties and Forest Meadows.

We are fully aware of the future tax implications but feel the need for fire protection is a necessity not an option.

We support the Oregon Outback Rural Fire Protection District's steering committee to petition the commissioners to approve the formation of this district.

Thank you.

Thomas Sterling

Nina Sterling; Petition & Proposal Committee

Volunteer Coordinator

april 7,2003 as a member of the Petition and Troposal Committee I strongly support the formation The Oregon Outhack Rural Fire Protection District in northern Klamath County. The formation of this District Will support six improtected communities: Surfound Estates Beal Road Properties, antelope Meadows, Howard Estates, Split Rail Broperties and Forest Meadows. I cenderstand the tax implications, but also realize that the formation of the district could result in a substantial reduction in the insurance premunes currently paid in this unprotected area I am writing this in support of the Steering committee's efforts to petition the commissioners for the formation of their district. Thank ofang Skirley hilsaver

To Whom It May Concern

As a resident of the Sunforest Estates, the undersigned support the formation of the Oregon Outback Rural Fire Protection District.

I/We understand the tax implications but also realize that the formation of the district could also result in a substantial reduction of the insurance premiums currently paid in this unprotected area.

This memorandum has been written to support the organizing committees efforts to petition the commissioners for the formation of this district.

Sincerely.

C3HOATTA 33C

Doyle Garoley Edethicarolog 11418 Creational Pl. Fa Pine La Rine 11616 Sunforest Dr. Geona Conucel January Conwell

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Raymond C. Thomason 11728 SUNFOREST PR. LAPINO 11728 : Sun forest Pr Expine 18411 Sun Forres Wh La Pino 144660 Inglewood od. 11846 Sundorest DR LABNE Dorothy M. Thomason 11846 Sunfanost Dr. LAPine Catricia & Cassaya 1.2120 Preechwood D. La Pine Hany R. Cassagraf 12/21 Beechwood De LA PINE Belly & Bedgard 11307 Inonword 1% Service of production of the service Hickory J. H. syndrom Apprine 11623 Alderwood On Low thy S. Salah blyakett Kahalma 14456 Birchubod Galen gray & Olas Gelden Buch 144217 inglewood B. Jan Disse 12672 SINATING David E. Charten 11622 Sun forest DR LAPINE Front I Davis 12235 Beachwood LAPING Janet Dayis 12235 Beekwood Dr Xx Bive Alice F. Narpon 11739 Beech wood U. La Fine Gerry Harpend 11739 Beech wood Dr. 11367 Iconwood Fr. La Pine



March 19, 2003

To Whom It May Concern

As a member of the Sunforest Estates Ladies Auxiliary, the undersigned support the formation of the Oregon Outback Rural Fire Protection District.

I/We understand the tax implications but also realize that the formation of the district could also result in a substantial reduction of the insurance premiums currently paid in this unprotected area.

This memorandum has been written to support the organizing committees efforts to petition the commissioners for the formation of this district.

Sincerely.

Spirite steech

Spirite steech

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Sandra Micol

Denny & Danse

John Hondrau

Jone Hondrau

Van Seech



Commissioners ·

The Sunforest Estates Neighborhood Watch at its monthly meeting on Tuesday, eighteenth, two thousand three voted unanimously in favor of the proposed Oregon Outback Rural fire Protection District.

We are of the opinion that the Fire Protection District will benefit all six communities and are willing to help in any way we can to see this project through to a successful conclusion.

Sincerely

Ray Thomason

Chairperson

Raelyn McCashen Secretary/Treasurer

Laelyn McCashen



MIARCH 19,2003

Commissioners

The Sunforest Estates Ladies Auxiliary at its monthly meeting on Wednesday, March nineteenth two thousand three voted unanimously in favor of the proposed Oregon Outback Rural fire Protection District.

We are of the opinion that the District will benefit all six communities and are willing to help in any way we can to see this project through to a successful conclusion.

Sincerely

Elizabeth Kahalewai

Chairperson

Sat Cassagne

Pat Cassayre

Secretary

Pam Leech

Treasurer



March 18, 2003

To Whom It May Concern

As a member of the Sunforest Estates Neighborhood watch, the undersigned support the formation of the Oregon Outback Rural Fire Protection District.

I/We understand the tax implications but also realize that the formation of the district could also result in a substantial reduction of the insurance premiums currently paid in this unprotected area.

This memorandum has been written to support the organizing committees efforts to petition the commissioners for the formation of this district.

Sincerely.

See Attached

They Thompson Thomason Donvity Thomas famela Leers

Tuffany Hughes, 3/19/03 Shratandon 3/19/03 Greaton funder 3/19/03 Sandra Slarrid 3/19/03 Marion E. Fluria 3/19/03 Roberts J. Everly 3/21/03 Margene Listaby 3/21/03 3/21/03 Juse a Beak 3/21/03 Honall V Span NORM AN BREWER 3-21-3 (Forest measons) Fm Beu Brewer 3-21-3 FM 3/21/03 Michele (Joaher FM 3/21/03 FM (of LApping 3/21/03 3.21.03 Ten Deneful 3-22-03 3-22-0) 3-12-03 Due Wolf 3-22-03 Janusco, Wells 3-22-03 Tatricia & Well 3 22-03 3:23-08 3-23-03 Talia xua 3/23/03 De Carrikor 3/23/03 3-26-03 3-27-03 Hesse Kerking 3-27-03

Date 3/26/63

To Whom It May Concern:

As a resident of Split Rail Properties I strongly support the formation of the Oregon Outback Rural Fire Protection District in northern Klamath County.

The formation of this District will support six unprotected communities: Sunforest Estates, Beal Road Properties, Antelope Meadows, Howard Estates, Split Rail Properties and Forest Meadows.

I understand the tax implications, but also realize that the formation of the district could result in a substantial reduction in the insurance premiums currently paid in this unprotected area.

I am writing this in support of the organizing committee's efforts to petition the commissioners for the formation of this district.

Sincerely

To Whom It may loncern: Wa resident of Split Rail Properties Istrongly support the formation of the Origon Outback Lural Fire Protection Destrict in northern Stamathe Country. The formation of this District Will Support six importected communities: Sem-Torest Estates, Deal Road Roperties, anteloupe Meidows, - Howard Estates, Split Rail Groperties I Forest I understand the tap implications, but also realize that the formation of the district Could result in a Dubstantial reduction in unsurance ferencemes currently paid in this unprotected area. I am writing this in support of the Organizing Committee's efforts to petition the Commissioners for the formation of this district.

Mohert Mewton 9706 Speit Rail march 30,2003

as a member of the Fire Krotection & Emergency Service Committee, I strongly support the formation of the Olegon Gutback Rural Fire Protection District in northern Klamath Country. The formation of the above District were support Six ungrotected communities: Suforeal Estates, Beal

Koad Properties, antelope Meadows, Howard Estates,

Split Raid Properties & Forest Meadows.

I understand the tay implication, but also realize that the formation of the Mistrick Could result in a substantial reduction in the insurance fremuens currently faid in This, unprotected area.

I am writing this in support of the Steering Committees effort to getition The Commissioners for the formation of this

Thankyon Ed Jama

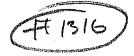
Howard Estates Gragerty Dewner

whech downt



OREGON OUTBACK RFPD 11424 BURL WOOD DR

Accounts Payable Account



Distance to next Waypoint: 1263 feet

Bearing to next Waypoint: 268 degrees (true)

Name: Mrk12

Short Name: M00012

Coordinates: 043° 32' 26.0" N, 121° 31' 50.8" W

Distance to next Waypoint: 1 mile, 1386 feet Bearing to next Waypoint: 359 degrees (true)

Name: Mrk13

Short Name: M00013

Coordinates: 043° 33' 31.8" N, 121° 31' 51.7" W

Distance to next Waypoint: 1286 feet

Bearing to next Waypoint: 89 degrees (true)

Name: Mrk14

Short Name: M00014

Coordinates: 043° 33' 32.0" N, 121° 31' 34.2" W

Distance to next Waypoint: 5256 feet

Bearing to next Waypoint: 0 degrees (true)

Name: Mrk15

Short Name: M00015

Coordinates: 043° 34' 23.8" N, 121° 31' 33.2" W

Distance to next Waypoint: 1 mile, 5186 feet Bearing to next Waypoint: 269 degrees (true)

Name: Mrk16

Short Name: M00016

Coordinates: 043° 34' 23.8" N, 121° 33' 55.7" W

Distance to next Waypoint: 5190 feet

Bearing to next Waypoint: 1 degrees (true)

Name: Mrk17

Short Name: M00017

Coordinates: 043° 35' 15.0" N, 121° 33' 54.2" W

Distance to next Waypoint: 1 mile, 5137 feet Bearing to next Waypoint: 89 degrees (true)

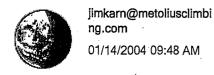
Name: Mrk18

Short Name: M00018

Coordinates: 043° 35' 16.0" N, 121° 31' 32.3" W

Distance to first Waypoint: 1 mile, 5267 feet Bearing to first Waypoint: 0 degrees (true)





To: upper.deschutes.RMP@or.blm.gov cc: Alan_Barron_Bail@or.blm.gov, Robert_Towne@or.blm.gov, Margaret_Wolf@or.blm.gov, Elaine_M_Brong@or.blm.gov, Greg_Currie@or.blm.gov, Robin_Snyder@or.blm.gov, Subject: Comments to UDRMP, Cline Buttes block

Attached herewith are comments to the Upper Deschutes Resource Management Plan regarding the Cline Buttes area. COTA, the Central Oregon Trail Alliance, appreciates the opportunity to be involved in the Public Comment period of the plan. We hope our comments are helpful and we look forward to continuing to work with the BLM on trail related issues in the future.

Sincerely,

Jim Karn, COTA trail consultant

Eric Meglasson, COTA President The following section of this message contains a file attachment prepared for transmission using the Internet MIME message format. If you are using Pegasus Mail, or any other MIME-compliant system, you should be able to save it or view it from within your mailer. If you cannot, please ask your system administrator for assistance.

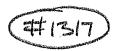
---- File information ------

File: COTA comments to UDRMP - Cline Buttes.pdf

Date: 14 Jan 2004, 9:13 Size: 2035546 bytes.

Type: Unknown

COTA comments to UDRMP - Cline Buttes.pdf





Central Oregon Trail Alliance www.cotamtb.org

January 12, 2004

Bureau of Land Management, Prineville District Attention: Teal Purrington 3050 NE 3rd Street Prineville, OR 97754 upper deschutes RMP@or.blm.gov

Re; Upper Deschutes Resource Management Plan as it applies to Cline Buttes block

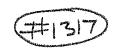
The following comments are in regard to the Upper Deschutes Resource Management Plan as it applies to the Cline Buttes block. The Central Oregon Trail Alliance (COTA) is in favor of the preferred alternative (alternative 7).

Regardless of which alternative is adopted, COTA has several topics of interest and concerns we would like to discuss with the BLM.

The Cline Buttes area has been a valuable resource to the Oregon cycling community for many years. This area is particularly important because the developed mountain bike trails there provide for a style of riding that currently cannot be experienced anywhere else in Central Oregon.

Free-riding, as it is commonly referred to, requires steep, technical terrain. An ideal free-ride area would have several downhill trails or runs and one separate route back to the top of the hill. Ideally, the route back to the top would allow for motorized shuttling, but any route that would allow riding or even hiking back to the top would suffice.

The Forrest Service has recognized the need for this type of terrain and is currently working with COTA to develop free-ride terrain on F.S. administered lands. However, all



sites that are currently under consideration would be accessible in summer only. This makes the Cline Buttes area very important, as it offers suitable riding conditions during the fall, winter and spring months.

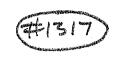
The importance of the Cline Buttes area extends well outside of Central Oregon. Because of its ideal terrain and the fact that it often has good weather all winter, Cline Buttes frequently sees visitors from Western Oregon, California, Idaho, even Western Canada. Mountain bike tourism has substantial economic benefits to the region. According to the Bend Visitor and Convention Bureau, 2.5 million tourists visit Central Oregon annually and cycling is the 2nd most popular activity for those visitors (tied with golf).

Free-riding is the fastest growing segment of mountain biking. Most of the local bike shops stock specialized free-ride bikes. All of the major bike shops in Portland stock free-ride bikes, and many of their customers rely on the Cline Buttes area as the only riding available in the winter. Bicycle Industry publications indicate that free-ride oriented bikes constitute 40% of all mountain bike sales nation wide. (source; Mike McMackin, Hutch's Bicycles, Bend)

The Cline Buttes area has four user-built, free-ride trails on the east side of the main butte. This area provides perfect terrain for free-riding and the road that ascends the butte just to the north allows for reasonable, non-motorized access to the top. This area is bordered on two sides by private property. It is too steep and loose to provide good recreational opportunities for motorcycles, ATVs or horses. Historically, this area has been subject to considerable illegal dumping.

The preferred alternative designates the upper elevations of the Cline Buttes block as a favorable area for mountain bike trails. It also calls for separate facilities for the different user groups. In accordance with the preferred alternative, we would like to propose that a small area on the upper east side of the main (southernmost) butte be set aside as a designated mountain bike free-ride area. The area we propose would be approximately defined by the private property boundary on the west and south sides, by the road to the top of the butte on the north side, and by the existing fence line or the lower section of the road on the east side (see attached map). Designating this area as mountain bike only would give the BLM several benefits in managing this area.

- 1. Conflicts between the private land owners and recreational users (primarily motorcycles) have been high in this area. Motorcycles and horses frequently travel cross-country (i.e. off-trail) and therefore are prone to crossing onto private property. Mountain bikers have no desire to ride off-trail. The soil is simply too loose in areas that do not have a prepared tread. For this reason, conflicts between mountain bikers and the private land owners will be extremely low. If the proposed area is designated mountain bike only, it will provide a buffer zone between the private land and the user groups that are at the highest risk of conflict with the private land owners.
- 2. Most of this area is too steep and loose for other recreational uses. This is an issue both in terms of user enjoyment and in maintenance of the facilities. On properly

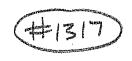


constructed free-ride trails, the passage of bikes tends to pack the tread in more firmly. Motorcycles, ATVs and horses tend to loosen the soil and tear it up, which makes trails for those user groups impractical in these steeper areas. This is further evidenced by the fact that the only trails in this particular area are the userbuilt free-ride trails. The other user groups sometimes find and use these trails, but they quickly realize that it is unsuitable terrain. Unfortunately, significant damage is usually done to the tread in the course of these excursions. No other user groups have actually constructed trails in this particular area.

- 3. The mountain bike community (COTA in particular) will provide all the necessary labor to create and maintain any facilities in this area. COTA has extensive knowledge of proper trail construction techniques and works with trail building consultants from all over North America. COTA has the expertise to build sustainable facilities in the loose, steep terrain of the Cline Buttes block.
- 4. The creation of a trailhead and the obliteration of the numerous roads in the lower portion of this area will reduce illegal activities such as dumping and recover much terrain into a more natural state.
- 5. The mountain bike trails have very little visual impact. They cannot be seen from Cline Falls Highway or Highway 97 (see attached photos). When the BLM surveyed the existing roads and trails in the Cline Buttes block, they did not even see the existing mountain bike trails.

If the BLM decides to allow for mountain biking in the upper Cline Buttes block, there are a few issues that concern us.

- 1. Future land exchanges: We would like all of the land in the upper elevations of the Cline Buttes block to be designated Z-1 (BLM retained).
- 2. Juniper thinning:
 - a. Loss of trees will reduce the visual separation of the mountain bike trails from other user facilities.
 - b. Loss of trees will inhibit the ability to maintain a narrow tread.
 - c. Loss of trees will increase the visual impact from highway.
- 3. Enforcement of separate facilities: Mountain bike trails are very durable when constructed correctly and used only by bicycles, but they are very easily damaged by motorcycles, ATVs and horses.
- 4. Reroutes of existing trails:
 - a. The last few yards of 2 of the existing trails cross onto private property and would require minor rerouting.
 - b. A reroute of approximately ½ mile of one of the existing trails would serve to reduce the trail density.
- 5. Future development:
 - a. We would like the ability to expand the free-ride trail network in the future.
 - b. We would like the ability to develop cross country trails, both in the proposed free-ride area and elsewhere in the Cline Buttes block, in order to increase the riding season for a wider segment of the cycling community.



6. Events:

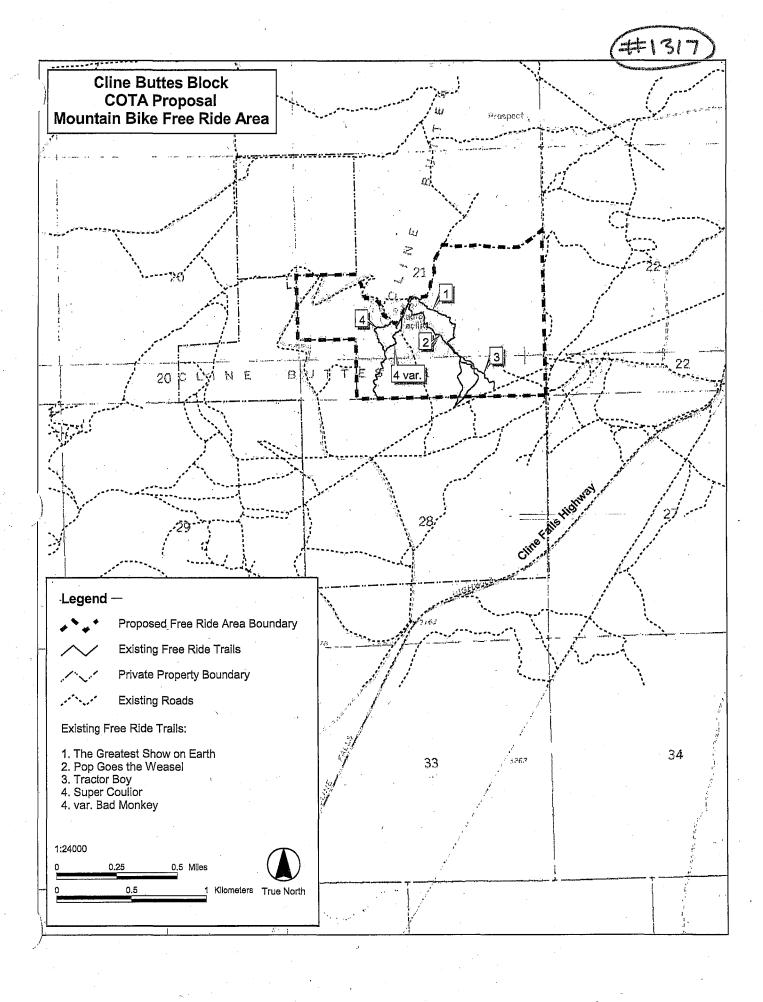
- a. We would like events to be held to a minimum in this area.
- b. We want to ensure that promoters of any events that are allowed to occur in this area be required to repair any and all trails and facilities to the condition they were in before the event.

Thank you very much for your time and your careful consideration of our comments.

Sincerely,

Jim Karn, COTA trail consultant jimkarn@metoliusclimbing.com (541) 788-4970

Eric Meglasson, COTA President emeglasson@bendcable.com (541) 408-7749





montensam@joimail .co m () 01/13/2004 08:39 PM

To: shaylor@realestatechampions.com, upper_deschutes_rmp@or.blm.gov

Subject: COMAC and BLM

Below is the result of your feedback form. It was submitted by (montensam@joimail.com) on Tuesday, January 13, 2004 at 23:39:18

name: Cynthia L. Foster

address: 33996 Mt Pleasant Rd, Lebanon, OR 97355

comment: As a concerned citizen and recreationist I would like to be on record as supportive of motorized recreation on BLM lands in Central Oregon. The preferred alternative BLM is proposing does not adequately reflect how an interim policy will be implemented. This interim policy greatly affects our sport and the users as there are no assurances BLM will ever have the resources to put together a designated trail system in the areas proposed. The aggressive vegetation management in Alt. 7 of the Juniper woodlands will negatively impact a proposed trail system.

We do not support the closure of the Badlands and feel that providing no motorized opportunities at Prineville Reservoir and the Lapine area is a mistake. There is use occurring in those areas currently, where will that use go? Especially for the Lapine and Prineville residents.

Our use is increasing approximately 20% annually with sales of OHV equipment listed at \$18 billion annually - the increasing use is not reflected in the severe limitations to OHV use on BLM land.

Please adopt a more flexible road trail density to allow for the best use of the land and for a designated trail system that will succeed. By micromanaging your areas and attempting to designate different trails for several different uses in the same areas we feel the management will fail and ultimately our use will suffer further restrictions.

textarea: I almost didn't respond to this latest attack on off-road vehicle use, but decided at the last minute to once again add my opinions. I have been riding dirt bikes for approximately 29 years. I can't remember a time during all those years of riding off road that I haven't been subjected to harassment, discrimination, and other various forms of degrading behavior from others because I didn't choose to live my life just like them. I'm just plain tired of the struggle and of being treated like a second-class citizen. Why are people who choose to ride dirt bikes always looked upon as "bad" people? That's sure the way things seem. There seems to be a majority of people who think that if you don't like what they like, don't do what they do, and don't look like they do, then you must be doing something wrong and you just aren't as good as you should be.

I ride dirt bikes primarily because I get a tremendous amount of pleasure and joy from it. Also, I love to get out and see parts of the countryside that I otherwise couldn't see with without the use of a wheeled vehicle. Because of a physical disability, I am limited in the amount of walking I can do, so hiking for miles to explore is not a viable option for me. Riding a dirt bike enables me to get to areas that would otherwise be out of bounds for me.

The so-called "environmentalists" are always trying to close areas to off-road vehicles citing such things as erosion, damaged vegetation, and harassed wildlife. Well, most off-road vehicle users I've known are more apt to take care to prevent and/or repair such damage that the people who are so vocal about the issues. Sure there are those who do damage and vandalize areas, but

those abusers are in the minority, and would do the same things whether or not an area is open or closed. Most off-road vehicle users are responsible people and I believe would be more than willing to help police areas for the privilege of using them.

Over the past ten years, more and more areas have been closed to off-road use. I now have to travel three to four hours now just to reach an area that is open. The number of off-road vehicle users is steadily increasing. If more area is closed in Central Oregon, that will be just setting us up to fail once again and will add more fuel to the environmentalists' arguments for more closure. For example, if you put three horses on one acre and three horses on thirty acres, which area is going to be beaten down to bare dirt first? My bet would be on the one acre parcel. It doesn't take much brain power to figure out that by crowding the off-road vehicle users into a smaller area will eventually eliminate that form of use all together because the use will surely take its toll on the environment much quicker.

I would sincerely hope that the decision that is made for this area is done so based on facts and not based on pressure from the "affluents" as is usually the case. I believe there is room for everyone to participate in the form of recreation they enjoy.

Cynthia L. Foster 33996 Mt Pleasant Rd Lebanon, OR 97355

Submit: Submit





Mollie Chaudet 01/16/2004 12:46 PM To: Teal Purrington/PRFO/OR/BLM/DOI@BLM, Mike Williams/PRFO/OR/BLM/DOI@BLM

cc:

Subject: Fw: Upper Deschutes plan comments

this was in my inbox, and don't know if you have another copy. -Mc=

Mollie Chaudet
541-416-6872
BLM
Project Manager
Upper Deschutes Resource Management Plan
USFS
Upper Deschutes Wild and Scenic River Coordinator
Deschutes Provincial Advisory Committee Liaison

---- Forwarded by Mollie Chaudet/PRFO/OR/BLM/DOI on 01/16/2004 12:44 PM -----



Bill Marlett
bmarlett@onda.org> 01/16/2004 12:00 AM

To: Mollie < Mollie_Chaudet@or.blm.gov>

cc:

Subject: Upper Deschutes plan comments



Upper Deschutes comments





Oregon Natural Desert Association

15 January 2004

Bureau of Land Management Prineville, OR 97756

Re: Comments on Draft Upper Deschutes Resource Management Plan/Environmental Impact Statement

Dear Mr. Towne:

Please accept these comments made on behalf of the Oregon Natural Desert Association on the BLM's Draft Upper Deschutes Resource Management Plan/Environmental Impact Statement (RMP/EIS).

The Oregon Natural Desert Association (ONDA) is a non-profit public interest organization dedicated to preserving and protecting the public lands of eastern Oregon. ONDA has a long history of interest and involvement in Bureau of Land Management activities with respect to grazing, riparian areas, water quality, and fish and wildlife. ONDA's mission is to protect, defend, and restore forever, the health of Oregon's native deserts. The members and staff of ONDA use and enjoy the public lands, waters, and natural resources within-the planning area for countless recreational, scientific spiritual, educational, aesthetic, and other purposes. ONDA and its members also participate in information gathering and dissemination, education and public outreach, commenting upon proposed agency actions, and other activities relating to the BLM's management and administration of the public lands of eastern Oregon.

In general, we are very pleased with BLM's draft plan and the effort staff has made to balance competing resource issues. Having been an active participant in the planning process, we are aware of the substantial discussion that has occurred to get to this point. We believe the preferred alternative is an excellent start, however, we feel further emphasis should be paid towards protecting and enhancing the non-commodity and non-motorized recreation values and opportunities in the planning area. Unlike any other BLM planning area in eastern Oregon, much less in the state, the central Oregon region is unique for the substantial demands being placed on the surrounding public lands in one of the fastest growing areas in the West. The BLM's planning approach must be equally aggressive in anticipating the demands for recreation and wildlife needs in the future. While there is no question that BLM recognizes the increase in demands that are occurring, the preferred alternative seems to be more focused on the past ten years of change versus the next ten years. For that reason, we would support elements of

alternative 7 and the preferred alternative 6.

Major issues:

Badlands WSA

We are support BLM's decision to remove motorized use from the Badlands WSA, however, we wish to note that the "Badlands" to many people includes Dry River Canyon as part of the Badlands. (Refer to the Badlands ads that were placed in the Source or to the Badlands maps on ONDA's web page.) This additional 5,000 acres has been an integral part of ONDA's proposed wilderness area for the past couple of years and we believe BLM should consider including these lands in the proposed non-motorized use area. Equally important is the fact that golden eagles and prairie falcons nest in Dry River Canyon. Given the proximity of the highway, it seems critical that public lands north of the canyon be designated for non-motorized use to minimize stress on these birds. Moreover, these lands are critical winter deer range and serve a vital migration corridor between Millican Valley and the Badlands.

Lending further evidence of BLM's decision for keeping the Badlands as a non-motorized use area was a poll commissioned by ONDA of registered voters in Deschutes and Crook County in 2002. The results were overwhelmingly in support of designating the Badlands as wilderness and we should note that particular attention was paid to inform respondents of the fact that motorized use would be prohibited from the Badlands upon designation as wilderness (see attached summary).

Permit Relinquishment

Again, ONDA support's BLM's general direction to allow for permit relinquishment, however, we believe the preferred alternative limits the ability of ranchers and the public to participate in this unique and voluntary transaction. It should be noted that the idea behind the grazing matrix stems from a current interest on the part of some ranchers to retire their grazing permits for conservation use (i.e., non use). These voluntary transactions are being fueled on the part of groups like ONDA who are willing to "buy-out" the financial interest of the permit in areas where we would like lands protected for wildlife or wilderness values.

As we have suggested over the past year, grazing permittees should be allowed to relinquish their grazing permit and close the allotment if the allotment is located in <u>any</u> special management area, such as a WSA, ACEC, RNA, Wild and Scenic River. Further, allowing permits to be relinquished on lands that provide excellent wildlife habitat or harbor sensitive speicies would allow BLM to more quickly achieve wildlife objectives while minimizing overall management costs. Likewise if an allotment contained a 303d listed stream. We feel the current grazing matrix is too limiting in creating opportunities to relinquish grazing permits (and closing the allotment) and suggest this be expanded. Further, we suggest that for any allotment where relinquishment is an option, that BLM, at the discretion of the permittee, allow for the option of either grassbank or closing the allotment.

In particular, we would recommend that the grazing permits in the Badlands WSA and surroungding the Pronhorn Resort be available for the voluntary relinquishment and closure of

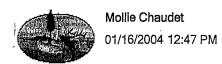
the allotments. One further suggestion to increase BLM's management flexibility is to give some discretion to the area manager when making the decisions to allow for unique circumstances and opportunities that may arise and that don't comport of the exact strictures of the grazing matrix.

Thanks again for an outstanding job!

Sincerely,

Bill Marlett, Executive Director





To: Teal Purrington/PRFO/OR/BLM/DOI@BLM, Mike Williams/PRFO/OR/BLM/DOI@BLM

cc:

Subject: Fw: ONDA attachment

also in my in box. -mc=

Mollie Chaudet
541-416-6872
BLM
Project Manager
Upper Deschutes Resource Management Plan
USFS
Upper Deschutes Wild and Scenic River Coordinator
Deschutes Provincial Advisory Committee Liaison

---- Forwarded by Mollie Chaudet/PRFO/OR/BLM/DOI on 01/16/2004 12:46 PM ----



Bill Marlett
bmarlett@onda.org> 01/16/2004 12:12 AM

To: Mollie < Mollie_Chaudet@or.blm.gov>

cc:

Subject: ONDA attachment

Mollie, This is the polling data on Badlands that I referred to in my letter...Bill



Badlands. 628. pdf



TO:

Bill Marlett

Oregon Natural Desert Association

FROM:

Lisa Grove and Ben Patinkin

Grove Quirk Insight

RE:

Recent Polling Show A Majority Support Wilderness Designation for Badlands

DATE:

June 26, 2002

A Majority of Voters Favor the Creation of a Wilderness Area in the Badlands of Central Oregon

Central Oregonians approve of the proposal to give the Badlands a Wilderness designation. After explaining the proposal in a format that describes restrictions placed upon the land as a result of passage of a Wilderness designation, 54% of voters approved, while only 35% were opposed. With a 19 percentage point favor margin this designation is clearly something Central Oregonians want.

Views are more strongly held on the support side. Indeed, strong support outpaces strong opposition by 19 points.

Now I'd like to get your reaction to a proposal regarding the Badlands area in Central Oregon. The proposal, if approved by Congress, would designate about 37,000 acres of federal land as a Wilderness area. The area is currently managed by the Bureau of Land Management or "BLM." Under this Wilderness designation, all motorized vehicles such as trucks, dirt bikes and all-terrain vehicles would not be allowed within the designated Wilderness area and 10 miles of existing, year-round motorized vehicle trails would be closed. Hiking, horse back riding and hunting would still be allowed. This arrangement is similar to other designated Wilderness areas in Central Oregon such as Three Sisters and Mill Creek. Do you favor or oppose designating this area as Wilderness, or aren't you sure?

Favor, strongly Favor, not strongly	44% 10%	54%
Oppose, not strongly Oppose, strongly	10% 25%	35%
Undecided	11%	

Democrats, especially younger (under 50) Democrats and young women, are most in favor. Of those opposed to the proposal the most strident are Republicans, those age 40 to 49, men and Crook County voters. Though to be clear, nearly every demographic subgroup is more likely to support than oppose the Wilderness designation. The only demographic sub-groups where opposition outpaces support is among Crook County voters and Republican men. Undecided

voters tend to be older voters, primarily those age 50 to 59, older Democrats and older women.

The Natural Importance of the Badlands Area Is a Compelling Reason to Support the Proposal

The natural and geological uniqueness of the Badlands area is a compelling reason for voters to support the proposal. One-third (35%) of those surveyed say that this makes them much more likely to be in favor of the proposal while only 17% say that this makes them less

Let me tell you a little more about this Badlands area. This area is winter habitat for deer and elk and many species of birds. It also includes one of the oldest stands of juniper trees in Central Oregon, unique geological formations and several Indian petroglyphs. Currently, it is designated a BLM Wilderness Study Area, which means most of it is already closed to motorized vehicles. Does knowing this make you more or less likely to support Wilderness designation or doesn't it make a difference to you either way?

Much more likely	35%
Somewhat likely	12%
No difference	36%
Somewhat less likely	6%
Much less likely	11%

likely to support it. Those most persuaded by this argument (35%) include Democrats, Independents, older women and women in Deschutes County. This argument is also persuasive to undecided voters. The area's uniqueness should be a central part of ONDA's communications strategy.

Some Voters Appreciate That Motorized Trails Will Still Be Open

Even if this proposal is approved, over 200 miles of existing motorized trails adjacent to the designated area would remain open for use on BLM lands. Does knowing this make you more or less likely to support Wilderness designation or doesn't it make a difference to you either way?

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When told that the proposal would not affect over 200 miles of adjacent offroad trails, most (49%) say the issue does not affect them either way. One-fourth (25%) claim that it makes them more likely to support the proposal. Of the 25% who become much more likely to support the proposal, Independents, young Democrats

and Democrats in Deschutes County top the list. Only 13% claim that it makes them less likely to support it. These include Republicans and older men. It should be noted that 44% of undecided voters find the argument to be persuasive. This message clearly reassures voters still on the fence that the proposal will not completely close off the Badlands to all motorized

activities. Therefore it should be a component of ONDA's message.



RECEIVED

JAN 1 5 2004

Teal Purriegton an	A BLM PRINEVILLE DISTRICT
To: Robert Powe	PHONE: 416-6798
FROM: SCOTT Deuney	
DATE: 1-15-04	Pages including cover:
Robert and Teal	
Following is	a better regarding
the Upper Desch	intes besonce Managenet
Plan."	
Take you for	your consideration.
<u> </u>	
	2071

EXECUTIVE OFFICE: 300 SW COLUMBIA, SUITE 201, BEND, OREGON 97702 Tel: 541-382-0765 Fax: 541-382-0791 • www.pronghornclub.com



January 15, 2004

RECEIVED

JAN 1 5 2004

BLM PRINEVILLE DISTRICT

Mr. Robert Towne, Area Manager Bureau of Land Management 3050 NE Third Street Prineville, Oregon 97754

Re: Comments regarding the Upper Deschutes Resource Management Plan

Dear Robert:

Please record these comments for the record in your review of the proposed Upper Deschutes

We appreciated BLM's recent willingness to reconsider the siting requirements for our dry utility right of way. That process illuminated the tremendous opportunities we have to enhance and restore the natural values of the public lands surrounding the resort, as well as the broader landscape of public lands between Highway 97 and Highway 20. We at Pronghorn are committed to an active partnership with BLM toward the accomplishment of public land enhancement efforts throughout this broad area.

Please consider our specific comments, which relate to the area referred to in the plan as the "Bend Redmond" area between Bend, Redmond, Powell Butte Highway, and Highway 97.

We understand that this plan is intended to set the broadest possible direction for transportation planning affecting the Bend Redmond area. The residents and owners of Pronghorn should be considered major stakeholders in any discussion about highway rights of way, and we have been encouraged by our discussions with BLM to date regarding future scenarios for the placement of our permanent secondary access to the resort, as required by Deschutes County.

We have monitored the collaborative effort of the Regional Solutions Team to address transportation needs in the Bend-Redmond area. Now that this has become a Regional Problem

Mr. Robert Towne January 15, 2004 Page 2

Solving effort, we ask that Pronghorn be designated a direct participant alongside the government agencies.

In addition, we acknowledge the innovative effort by BLM and others to develop a process for identifying those grazing allotments in which BLM would allow their retirement from grazing during the life of the RMP, upon voluntary relinquishment of the grazing permit. However, we disagree with BLM's proposal that the Crenshaw Allotment (#5116) be designated for reserve forage in the event that we choose to relinquish the permit. We ask that this allotment be closed in the event we choose to relinquish the permit. We suggest that given this allotments' proximity to a major resort, its potential for ecological restoration, and as important antelope habitat, it should be considered to have, in the context of your proposed matrix, at least moderate ecological potential and high social potential, and therefore be eligible for closure.

In order to effectively enhance the land surrounding Pronghorn we intend to collaboratively work with BLM to remove old fences and to close and revegetate unnecessary or duplicative roads. We support those aspects of the plan that are consistent with the enhancement of the public lands surrounding Pronghorn. Given our general concern about the existing density of the network of roads and trails in the area near Pronghorn, we ask for continued collaboration regarding the development of any new trails in the area, and we support placement of a well thought out trail system between Bend and Redmond.

Very truly yours.

Scott Denney

Partner

High Desert Development Company

#1322

CENTRAL OREGON MOTORCYCLE AND ATV CLUB

olup 192

Bureau of Land Management Prineville District Office 3050 NE Third St Prineville, Or 97753

RECEIVED

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

January 12, 2004

ATT: Teal Purrington

RE: Upper Deschutes Resource Management Draft EIS

To Whom It May Concern:

Thank you for the opportunity to respond to something as important as management of all BLM land in Central Oregon. COMAC has been involved in this process since the beginning and I hope that my comments can be of assistance in future planning and document revision.

Process Issues

As an active participant in the recreation issue team meetings along with participation in the full issue team meetings for the two year process, it was my opinion from the onset that the makeup of the issue teams was not broadly interest based. The public participation process was too long. Much time was devoted to ground rules and good manners and little time to produce substantive comments or consensus within the issue team. We spent entire mornings hammering out rules of conduct and less than an hour to reach agreement on matters within our recreation issue team. After we finally worked out agreements within our group, once those were presented to the full group, those agreements were discounted and discarded without discussion or debate, because another team didn't agree with them.

The process was further confused when objectives set for the next meeting would not, in fact, be the starting point for the next meeting — This was not just confusing to the public participants but queries to BLM staff showed them to be equally confused about the process, the progress or what it all meant when put together.

South Millican does not reflect the agreements reached in our issue team meetings. I believe we would have a longer riding season to allow for winter use and that special events would be allowed.

Data Issues

The information regarding road and trail densities, location of roads and trails, and mileage available on BLM land is not used by the specialists in their reports. In fact what was stated was that "information was incomplete or unavailable" regarding OHV usage, page 334 and 345. With that stated, it would seem impossible for BLM to analysis consequences. Upon studying the environmental consequences in chapter four, current OHV use and how it affects vegetation, soils, wildlife or recreation was not found. Without that basis it seems BLM will be unable to determine impacts.

The data used to project growth of motorized recreation does not speak to what is actually happening on BLM land in Central Oregon. Use levels are not described, which makes the decisions and allocation of uses and assessment of needs inaccurate. The document does not show enough analysis of OHV growth, usage or demand to support the preferred alternative.

The impact of changing currently OPEN areas to designated roads and trails affecting over 38% of the planning area is a dramatic management shift and one that will hugely affect OHV use. Alternative 7 would decrease OHV opportunities and increase non motorized opportunities without documenting need for the shift. This direction does not provide enough opportunities for the growth of OHV recreation. Industry trends, studied by the Motorcycle Industry Council state that from 1999 when OHVs sold in the United States totaled 700,000 to 2001 when units sold were 1,000,000 shows a 20% growth annually. This results in a retail market of \$18billion a year. This growth is not reflected in the opportunites for the next 10-20 years of this plan.

The draft RMP does not provide four wheel drive opportunities and that issue should be included in the plan.

It appears that BLM supports ODF & W in their population targets for wildlife. If that is the case, we may be seeing further parasitic epidemics reported to OSU entomology department from the deer over population we have experienced recently. Many recreationists ask for clarification regarding why we are seeing animal herds protected only to be hunted and killed. The wildlife goal would, in effect, replace one sport for another as OHV use is often restricted when wildlife concerns are addressed. It seems BLM favors hunting as a recreation over OHV use regardless.

With the restrictions and closures suggested in Alternative 7, there will be a shift in motorized use. By reducing opportunities recreationists will be displaced. Since they cannot go west toward Bend, the assumption is that they will go further east. This has been an underemphasized and underestimated issue in

the RMP draft and we feel it is a considerable problem. There are potentially many species, animal and plant, that could be jeopardized along with the fact that further east is designated open, so the use will be mainly unmanaged. The Brothers Lapine Plan managed a much larger area than this plan is addressing, thus this plan puts additional significance on the small area sage grouse habitat that exists in this plan vs the larger area of concern outside the planning area. The management of the sage grouse leks that are further east could be impacted, thereby necessitating emergency closures to OHV use. The central Oregon area is a destination for OHV and snowmobile use and BLM needs to recognize it as a viable use of public land in planning. Pushing use further east and risking more closures seems inevitable and unacceptable with the current plan emphasis.

Implementation

The overall strategy of current management seemed to keep all BLM employees productively employed. Without huge additional resources, how feasible is Alternative 7? Regarding OHV use, if the cost of closing Badlands, managing Cline Buttes with separate systems, adding new systems to the Bend-Redmond block and opening up North Millican for year round use is looked at financially, it seems like an alternative destined to fail. It was stressed several times in the document that BLM will be looking to partnerships for funding. By reducing OHV use dramatically, closing much land to our use, the OHV community, may quite likely, be unwilling to give at its current level, to the BLM budget. Will nonmotorized use also be asked to partner financially? How about the horse and shooting groups? We believe the \$2million that the OHV community has given to Central Oregon for recreation recently is probably the biggest partner from the recreational community that BLM has seen. The social values survey BLM is using to make decisions on OHV management was written as to reach a preordained conclusion and certainly not one that the OHV community could support or appreciate. The form and its style did not lend itself to a positive outcome for motorized use.

The interim plan is very important to OHV use. Without more complete and detailed information about what the users will have while all these designated trails are being planned, I have significant problems with the plan and the process. While understanding this is a planning document, part of the planning must be planning for the interim. If the interim plan fits personal issue team leaders agenda's, how can the users expect that we will ever get past the interim phase. The interim plan will determine uses for an indeterminate period. The interim plan must be described in further detail and the consequences of that plan need full analysis. The interim plan should not provide an opportunity for BLM to avoid the requirements of NEPA.

In trying to understand the draft plan I found the environmental consequences, Chapter Four, to be unintelligible. There was an inconsistency in understanding

how one specialist worked with any other specialist to address the issue of motorized recreation. Again, going back to the lack of information specialists stated, that they used to work with. Aren't these documents supposed to be written so they can be understood? The way it was written, trying to compare recreation alternatives, or just OHV opportunities made it a difficult read and even more difficult to understand. Page 252, this section is supposed to describe the current habitat, conditions and unique features of the landscape but it doesn't do that. Each alternative discussion is separated by several pages, then narrative and general discussion and area specifics. The headings address habitat effectiveness, then emphasis areas then no discussion on those issues with effects sometimes being discussed and sometimes not, page 357. Upon review, Page 369, under cumulative effects show no cause and effect analysis and is too general to comment on. The cumulative effects language, page 372. does not state what activities are affected and how they are related. The attempt to compare with appendix A (Vol.3) where alternatives are written differently basically two sets of alternatives shown, was also difficult. Having been to all the issue meetings I feel I have a better understanding than most do about what BLM is proposing and even I couldn't follow the specialists. If the purpose of the document was to gather public comment, the complexity of the plan discourages substantive comments.

Site Specific Issues

Cline Buttes is the one area that Alt 7 is a poor option. We do not feel that Alt. 7 will adequately address the current or future needs for motorized use and we are very concerned that separate trails will create not dispel conflicts. Separate systems will decrease opportunities for both uses and each system will be judged against the other. By dividing the available area into smaller segments of use for both motorized and non-motorized, it will diminish the user experience to an unsatisfactory level.

The closure of all BLM land around Lapine is unwarranted and unnecessary. There is nothing in the affects analysis regarding this issue. The reasoning for closure that we have heard has been wildlife concerns. It seems reasonable to provide a corridor for wildlife without such a dramatic closure to all the Lapine residents currently accessing public land. Where is the planning for the affected population and the impacts analysis for it.

Providing no opportunities for OHV use at Prineville Reservoir when use is currently there, should be reevaluated. The plan simply offers too few opportunities and too many lock ups for the OHV community and the Crook County residents and tourists. The reservoir itself promotes multiple use – it isn't a WSA.

The paving of West Butte Rd affects the OHV system and the plan does not address it. The paving of this road will be very detrimental to our trail system and we have concerns about how BLM will mitigate these concerns. There should be analysis of the cumulative effects to the users this will provoke.

Juniper Woodlands management, if pursued as aggressively as proposed will severely decrease the opportunities for a successful and desirable trail system in North Millican. By harvesting so many of the trees the net result will be a flat canvas to develop a trail system. Experience has proven straight trails are speed trails and OHV's cover the ground too quickly as opposed to winding trails through vegetation. For a system to succeed it must be done with thought, proper design and rider satisfaction as a priority.

Badlands WSA complete closure in Alt 7 is going to be more expensive and more difficult to manage than the current management is. The parking problem total closure will necessitate is not addressed in the plan. If BLM had problems managing Badlands prior to this RMP, how will total closure take care of those problems? All of the reasons for keeping the motorized public out of the area have nothing to do with law abiding citizens enjoying the desert beauty. From the issue team meetings it appears there was no objection from ODF & W regarding wildlife, it appears the closure is strictly social and COMAC must take issue with the rational used to restrict our use.

I appreciate the opportunity to be involved in this process. COMAC has been proud stewards of the land we care so much about for over 20 years.

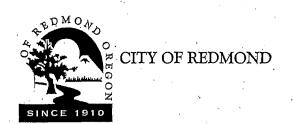
Sincerely,

Joani Dufourd, COMAC Land Use Director

bught/

20923 SE King Hezekiah Way

Bend, Oregon 97702





716 SW Evergreen PO Box 726 Redmond, OR 97756-0100

> (541) 923-7710 Fax: (541) 548-0706 info@redmond.or.us www.redmond.or.us



JAN 1 5 2004

ALM PRINEVILE

January 14, 2004

Teal Purrington
Bureau of Land Management
3050 NE 3rd St
Prineville, Oregon 97754

Dear Ms. Purrington,

As a follow up to our meeting with Janet Hutchison, Robert Towne and Phil Paterno on September 30, 2003, I am submitting this letter of interest in regard to the 318 acres of land located on 19th Street just south of the County Fair Grounds in Redmond. As discussed this land belongs to BLM and is set aside for community expansion.

The City of Redmond is interested in the property for community expansion to be used for utility purposes. We currently undergoing an engineering study and updating our Facility Plan for Redmond's Wastewater ty. Although Redmond's engineering study is not yet complete, it is estimated that Redmond would need an estimated 25 acres for wastewater facilities with possibilities of additional land needed for irrigation purposes.

If you have any questions I may be contacted at: 541 504-5071 or 541 480-2977.

Sincerely,

Kevin S. Curtis
City of Redmond

Wastewater Division Supervisor

cc: Mary Meloy, PW Director
Jo Anne Sutherland, City Manager
Janet Hutchison, BLM

P.01 #1324

You Now Have The Fax!

RECEIVED

JAN 1 5 2004

From: Gary and Vikki Hickmann

541-383-3523 (Phone & Fax)

BLM PRINEVILLE DISTRICT

To: TEAL PRINEVILLE, OR. 97754

Number of Pages: 2 (Including the cover sheet.)

Gary & Vikki Hickmann 66990 Dusty Dirt Rd. Bend, OR. 97701 Phone & Fax: 541-383-3523

Page 1 of 1

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RECEIVED

To: Prinsville District Office BLM

JAN 1 5 2004

Thank you for the work that has been done on the Upper Deschutes Rescure Management Plan and Environmental Impact Statement. Some sort of plan has been needed for a very long time. I would like to take this opportunity to make a few comments and suggestions regarding the proposed alternatives for the area in the Cline Buttes area in the middle of Bend, Redmond, and Sisters. This is an area! have lived in surrounded by BLM for approximately 29 years. Whichever plan is chosen will impact my life and therefore is very important to me. I personally have been working with BLM in trying to get some sort of plan in effect in this area for well over 10 years.

I will not make one of the Alternatives that is proposed as a clear choice for me at this time. Although I feel that the Prefered Alternative can be made to be acceptable once roads, trails, and uses are clearly defined. I do not see that they are in the proposed alternatives; particularly in regards to roads and trails for motocyclists, ATV's, and 4 Wheelers.

As far as roads that are proposed, the road from the corner of Innes Mrkt. Rd. and Highway 20, otherwise known as Dusty Dirt Rd, cannot be used as a feeder road to access the greater BLM lands in this area. It would have to cross the middle of private property which is unacceptable. Particularly given the history of no enforcement capability or desire on the part of BLM to control off-roading, vandatism, or trash dumping.

The greatest problem and threat this area faces comes from motorized activities; particularly motorcycles and ATV's. Again, BLM has a history of not having the capability or desire to control or contain them in any manner; in fact, just the opposite. BLM has at times encouraged there use in this area. Given this history, along with a history from the motorcycle industry and its individual participants of having no ability to control or police their own activities until entire areas are destroyed, any acceptable Alternative will have to have their area of use clearly defined, a policing plan, and BLM capability and desire to enforce those plans. To realistically do that their area of use will have to be severely limited and the rules straightforward and simple. One of those rules should be that any motorized trail should be at least one mile away from any private property boundary. Anything less invites continued conflict in this area. Another rule that I would like to see, (although I know it would never be accepted,) would be that once these trails are defined, if the motorized recreationists are found to go off those trails or extend them in any way, they would lose one mile of trail for each infraction. That is the only way I can think of that they may try to police themselves. For the sake of fairness, if these same rules need to apply to mountain bikers and equestrians, though much less necessary, I would have no problem with that. What must be remembered is that motorcycle and ATV activity is completely incompatible with any other use...whether it be wildlife. The environment, hunting, bicyclists, hikers, equestrians...you name it.

Those are the two main areas of concern that I wanted to comment on. Again, I appreciate the efforts and work that has gone into this plan, and I look forward to finally seeing some sort of plan put into action. At this point any plan should be better than the current plan that has been in operation in this area for many years which has been, "Since it is BLM...anything goes!"

Sincerely,

Gary Hickmann 66990 Dusty Dirt Rd. Bend, OR. 97701 shickmann@sol.com

#1325

Comment Form

For public input on the Draft Upper Deschutes Resource Management Plan and Enviro

Today's Date: 1-10-04	•	JAN 1 5 2004
Your name (please print):		BLM PRINEVILLE
Representing (put an X in one box only): Self only, or business, organization, or agence	Keith, y (list): <u>Janet M</u>	
Street Address, State, and ZIP: 25 700	Spencer Wells	Ra Bend OR 9770.
Phone: 541.576.2922	E-mail:	
Important Privacy Notice: All written comments public review upon request, and may be published individual you can ask us to withhold your name as and from individuals identifying themselves as repmade available for public inspection in their entired withhold your name, put an X in this box:	by the BLM during the planning address. All submissions from the containers or officials of organizations.	ng process. However, as an om organizations or businesses, nizations or businesses, will be
Comments:		

Continue your comments on the back of this page, or on additional pages

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1-10-2004

Comments on the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement

Keith and Janet Nash 25700 Spencer Wells Rd Bend, Or 97701 541.576.2922 RECEIVED

JAN 15 2004

BLM PRINEVILLE DISTRICT

We are landowners in the Millican Valley, in the Horse Ridge and South Millican area. As permittees of the Horse Ridge and Barlow Caves grazing allotments, our comments concern both of our roles: landowner and permittee.

- 1. The expansion of sage grouse managed land. As a sensitive species, sage grouse are currently the focus of many mitigating measures. Expansion of the management area into the Barlow Caves (west side of Horse Ridge) allotment is not necessary, and in fact would add to the bureaucratic headache a potential listing could bring. BLM biologists have identified Horse Ridge as the western boundary of local sage grouse habitat. Expansion further west is not warranted, especially in light of the Skeleton fire that destroyed the sagebrush habitat in 1996. Imposing more restrictions could affect grazing season, recreation, and travel management. If it were an area of critical habitat, we could support the expansion. It is a marginal-habitat at best, and inclusion in a management area imposes layers of procedural requirements and adds to all ready under funded BLM mandates.
- 2. Designation of Horse Ridge as closed to all motorized traffic. As property owners of several large acreages in Golden Basin, we are opposed to the complete exclusion of motorized vehicles. Our grazing allotment covers the same area, and we require administrative access to our allotment. Past road closures have made checking cattle, fence, range conditions, water hauling and changing pastures difficult. Further closures would compound the effect. The closures implemented after the Skeleton Fire have done an adequate job of reducing road densities, and controlling traffic. Closing the entire area and dedicating it to recreation represents an unfair balance of land uses. We do support the exclusion of uncontrolled OHV use. Current level of conflict between mountain bike users and horseback riders is manageable, especially if the mountain bike community continues with their education efforts. To dedicate the entire area to a relatively small number of recreationalists is unfair and unwise. Mountain bikers have created a series of trails that only partially utilize vehicular roads. The area is open enough that both parties can avoid each other. The same applies to equestrian users. Events can be managed on a case-by-case basis.

Road closures in such a large area would not be enforceable, creating conflicts between legal users (permittees) and the public. Locked gates are not anyone's idea of how public lands should be administered. Our parcels of private property would be diminished in value, an economic taking without compensation. BLM cannot deny access to private property. We in turn require a road to access/develop the property. Until the process for BLM acquisition of private lands is streamlined, these properties are a vital part of our ranching operation. We would be very interested in trading these parcels and eliminating these inholdings. But under current guidelines, it is an expensive cumbersome process no one is anxious to undertake. A federal policy to facilitate these transfers is sorely needed.

These private parcels we own in the Horse Ridge area need to be identified as such on all BLM maps. The maps should specify no public access without landowner permission. We have resisted fencing these parcels; it would make grazing utilization difficult, invite vandalism and detract from the visual appeal of public lands. All road and trail planning needs to avoid private land. The RMP needs to allow for rerouting of roads that currently traverse private lands. In particular, our parcel at Dyer Well at the foot of Horse Ridge needs to have the road routed around it, not through it. The same applies to any new recreational trails that are built or mapped. Trails cannot be designated through private property. The Visual Designation for Horse Ridge is vague, not supported well in the text, and should be excluded from the final version. It seems adversarial to farming/ranching and is sufficiently protected by current Deschutes County Zoning. Another costly management project for administration by the BLM. All these lands are currently zoned EFU by Deschutes County, which affords inherent protection. BLM is charged with administering the land, not designating zoning codes.

3. OHV Use. We are concerned about the growth of the OHV program. The planning document considers OHV use as governed and managed by the current Millican Valley OHV plan. The issue is not addressed adequately in the RMP, perhaps because the size and scope of the RMP is too large. At any rate, the OHV program desperately needs guidelines and limitations beyond what are currently in place. Continued growth without adequate enforcement capability is not acceptable. If the OHV budget is so large as to allow for constant expansion into environmentally sensitive areas, they should bear some of the burden of cost and mitigation. Currently, it is all placed on other users to pick up the pieces of the program that aren't working. We maintain roads used by OHV recreationalists. We pick up their garbage and repair damage to fences, stock tanks and private property. We see constant illegal use, and have no enforcement personnel to call in a timely manner. Hold the program at current levels until some resolution and self-governing is in place and working.

We appreciate the work BLM does to keep ranches intact and viable as working units. Part of what the public enjoys as open spaces comes in part because of the continuing work of these ranches to support wildlife and well managed public lands. More restrictive policies make it harder and harder for the rancher to remain an economically viable unit. Guidelines should be just that, guidelines, not restrictive one-size-fits all regulations.

Thank you for the opportunity to comment.

Kerth Janer Maste

41326

Bruce Bowen Eva Eagle 17212 Pine Drive Sisters, OR 97759

Teal Purrington Bureau of Land Management 3050 NE Third Street Prineville, OR 97754

January 13, 2004

RECEIVED

JAN 1 5 2004

BLM PRINEVILLE DISTRICT

Dear Teal Purrington:

We have a mixed reaction to the BLM's proposed management plan for the Upper Deschutes Watershed. The proposed plan sounds very balanced in its approach and has much to recommend it. However, we are troubled by many of the specific recommendations of the proposal for lands with which we are familiar. Regardless of what approach is finally taken, we hope that the BLM will take a second look at the specifics in each area.

Overall Assessment of the Plan

As a general approach, Alternative 7 is a move in the right direction for this land. Alternative 7 preserves public ownership of a large proportion of the BLM land, has the strongest gun restrictions of any alternative, and designates a high proportion of the area for primary wildlife management. The concept of separating recreational uses where possible is a good one, and Alternative 7 takes the right track by separating different uses by trail or trailhead when total separation by area is not feasible. This alternative, if chosen, will be an important step toward better management. We have three general concerns about the plan, however.

- 1. Even a good plan will work only if there are funds for enforcement of the new restrictions.
- The plan should create as much separation of motorized and non-motorized travel as possible, as far apart as possible. Once motorized vehicles are in an area they tend to go wherever they please, without regard for restrictions. Since enforcement will be difficult at best, we recommend that access points for the two types of traffic be widely separated and that the two different types of trails be far apart.
- In any area where different modes of traffic must co-exist, we note that mountain biking trails are destroyed rapidly by horses as well as by motorized vehicles. So in doing the detailed planning we ask you to consider separating bicycle from both horse and motorized traffic.

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Of course, such a detailed plan for a large area is difficult to assess properly. Because our land borders the northwest sections of that planning area, we are able to apply our knowledge of the area to the plan in a way that we cannot for most of the watershed. Close examination of the plan's impact in our area leads us to believe that in some arenas, the plan's philosophy is not well supported by the specifics. We can only suspect that a close, informed inspection of the plans for other areas would reveal similar issues. But we have not had the time to do that. Here are our comments and concerns about Northwest.

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Assessment of Alternative 7 Proposal for Northwest

Wildlife and Natural Vegetation:

We support Alternative 7 in its recommendations for wildlife and vegetation.

- ♦ Wildlife. We are very pleased that this area is designated for primary wildlife emphasis. We see many deer, elk, eagles and other raptors, as well as numerous non-predatory birds. We have also seen the occasional bobcat, cougar, river otter, and badger. Except for deer, the larger animals do not adapt well to encroachment and need acreage of undeveloped land for habitat. The plan should serve this primary emphasis on wildlife, but other features of the proposal do not seem to do so. (See below.)
- ♦ Vegetation. Some of this area is designated for Ponderosa Pine restoration (Map 6) and much for 'aquatic stronghold restoration.' This sounds good, but we are not sure what this means nor do we understand how it relates to the resource use provisions in the plan. (See below).
- Fires. This area had a significant fire on both sides of the creek and does need some thinning done in areas where past grazing may have caused overgrowth of sage and rabbitbrush.

Resource Use:

We disagree with the recommendations of Alternative 7 for resource use. To support the wildlife and recreation emphasis, we recommend no grazing, timber harvesting, or mineral extraction in this area.

- ♦ Grazing. This area has grazing allotments in all of the BLM property and grazing is allowed in Alternative 7. Is this usage consistent with the wildlife emphasis and restoration? Is there going to be any effort to close those grazing allotments? (Please note that we have never seen any grazing in the areas we frequent in Northwest.)
- ♦ Timber. In the planning area map (Map 1) the BLM properties in T14S,R11E, Sections 19, 20 & adjacent areas are designated as commercial timber areas. What does the new plan have to say about this? We see no timber maps in the plan and would very much like to know what the BLM's timber sales plans are for this area. This designation seems inconsistent with the primary wildlife emphasis.
- ♦ Minerals. The corner of land nearest Panoramic Estates (in T14S,R11E, Section 30) is designated as a 1/8 mile boundary closed to mineral material sales. Panoramic Estates, the original subdivision, is designated as Residential. Unfortunately, adjacent residential land has not been designated as 'Residential.' Were the residential areas correctly designated, the 1/8 mile boundary would extend further than shown on Map S-28. This needs to be addressed. In addition, we would like to understand better what mineral usage there might be in this area and what access would be granted. We would also like to be informed if there are any applications to extra minerals here.

Safety:

We disagree with Alternative 7and recommend this be a no hunting zone.

- We support the proposal to have no shooting in Northwest except while legally hunting, in contrast with permissible shooting at any time. What hunting season(s) does the BLM recognize?
- We ask that the BLM consider allowing no shooting at all in the western areas of NW, due to adjacency of dwellings. (Neighborhood closest to T14S,R11E, Section 19 is organizing to declare ourselves a no hunting zone and will ask that BLM apply that rule in the adjacent area)

Recreation:

We generally support Alternative 7 in its recreation emphasis but need more information.

- We support the emphasis on non-motorized trails in Northwest ('non motorized rec. emphasis'). We are, however, concerned that there will be disruption if improved access allows ATVs to get into the area on a more regular basis, creating fire and wildlife hazards. As a result, we would like to be a part of planning for trails in this area.
- ♦ The plan notes there should be a trail to be created linking 'southwest of main block' with FS Road 6360. Also a link from Sisters trails identified by CATS to access the road to Alder Springs TH. We would like to know more about specific locations for trailheads and trails, and especially for any area open to motorized traffic.

Transportation:

We support Alternative 7's transportation concepts but need more information about specifics and ask the BLM to correct errors in the mapping of roads.

- ♦ The plan wisely recommends a limit on motorized traffic, keeping them to existing roads 'in the main block' (Holmes Rd to Forest Road 6360 + others as needed to get to trailheads) and to close the area to all vehicles in winter. ('limited to designated roads seasonally'). It is difficult to comment on how well this provision serves the plan's principles without knowing the exact number and location of 'existing roads.' We would like a map of these so we can comment more fully, and we would like to be a part of any road planning for this area.
- ♦ We are especially concerned and confused about the transportation provisions because Map S-7 shows our driveway and our own private utility roads as connecting public roads to BLM roads. They should not be shown as roads and certainly are not 'existing roads' available for motorized travel. We have strong concerns about this issue. (We tried to print this section of the map, but the detail in the file does not seem to support that. We have therefore enclosed with these comments a county GIS map with our property in pink, BLM lands in turquoise. The roads in question are in T14S,R11E, Section 30, linking Pine Drive to roads in the BLM Northwest area through our property.)

Land Tenure

We strongly oppose Alternative 7's designation of Z-2 lands in Northwest and recommend they all be designated Z-1. We suspect that the Z-2 designation was based on erroneous analysis and data. Although we applied the amount of land designated as Z-1 in Northwest, we note that the westernmost areas are designated Z-2. This seems inconsistent with its wildlife values and recreational importance, being close to a growing part of Sisters:

- Over 95% of the land is deer, elk, and eagle habitat. It is well forested and makes excellent habitat for a variety of animals (see 'Wildlife' above).
- ◆ Some of this areas has been designated Z-2: willing to trade for lands with a higher 'resource value.'

 We find it hard to imagine there will be land to be given away that has a higher resource value than this prime wildlife habitat.
- ♦ As Sisters grows and more of the forested areas are settled, the importance of this land for recreation and for wildlife will grow.
- ♦ We strongly approve of the plan to 'infill' the BLM owned areas to create a contiguous resource area.
- We suspect that old information on land ownership may have led the staff to recommend Z-2 for some of these lands. It is true that some sections are a bit of a patchwork, but the BLM pieces do create a wildlife corridor along Squaw Creek. If any one of these patches is traded away, the corridor will be interrupted. And there is no unoccupied private land near these patches to trade for BLM sections.

We feel very strongly that this area is important to wildlife and would like to be kept informed about any land sales or transfers under consideration.

For the Future

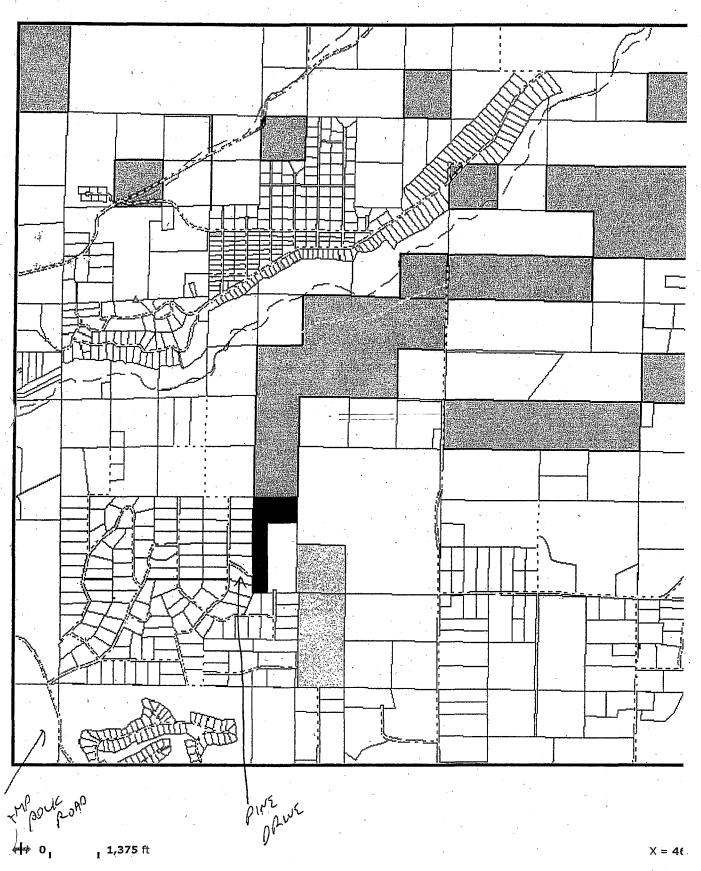
We are very interested in being informed about any plans or activities in Northwest. In addition, we are willing to participate in work groups, field surveys, etc. This is a marvelous public resource and we would like to help the BLM keep it that way and improve its quality.

Sincerely,

Bruce Bowen and Eva Eagle

Attachment: Map of 17212 Pine Drive and nearby public lands

17212 PINE DRIVE + NEARBY PUBLIC LANDS



http://lava.deschutes.org/mox4/indexpublic.cfm?action=dsp_mox4_map_if_IE4_Map

Multimetrics 17212 Pine Drive Sisters, OR 97759

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Page 1

Main Identity

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From:

"Joanne and Larry" < landjulrich@bendcable.com>

To:

<up><upper deschutes RMP@OR.blm.gov>

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brjoani@aol.com>

Sent:

Tuesday, January 13, 2004 1:05 PM

Subject:

upper deschutes

JAN 1 5 2004

BLM PRINEVILLE DISTRICT

Dear sirs: I am in agreement with alternative #7 with the following exceptions. #1. It seems that the reason for this study is the problem of exploding population in central Oregon. So you need more recreation opportunities, not less. We need more OHV trails, not less. Opening North Millican in the winter is a start, but don't cut trail milage. #2. Juniper trees. I hate them and would prefer that most were gone. When they are thinned out, the grasses will come back. If you look at pictures taken in the early 1900s there were very few juniper trees. I would like to see anything larger than 18" in diameter left standing. Also, leave corridors next to roads and trails and in any area that have trails planned there. #3. At Cline Buttes, leave the area East of the Cline Falls highway open. I have been riding motorcycles in the Cline Buttes area since the early sixties and most of the trails there are 20 to 40 years old. Of course we make extensive use of the old Tumalo canals that never saw a drop of water . these canals are over 100 years old and we had not been riding them for all these years, they probably would have disappeared by now and BLM would have forgotten about them. If the BLM wanted to preserve some of the history, they should have started about 50 years and saved the valve house atop the Tumalo dam. The Cline Buttes area has been a designated riding area for several years, but the BLM has done nothing to manage it. When the BLM gets around to making a trail system, only a minimum of work should go into it. It should be mapped with trail numbers, private property boundaries marked and trails leading to them should be closed. Leave the trails "single track", because as soon as you use cats and groomers on them they become extremely fast and dangerous.

#4. Millican Plateau. Due to its low elevation, it is the only place in central Oregon in the winter and draws riders from all over the Northwest. The area needs to be expanded like is shown in alternative #2 in the N.E. area along the rimrocks of the Crooked River. There are existing trails there now that have fantastic view points. Also ue to the hundreds of riders using this area every weekend, we need more trails within the Millican Plateau. fourism is the number 1 source of money in central Oregon. Each one of these riders from Portland, Vancouver, Eugene, etc. spend money for food, gas, and lodging each trip. This represents a significant amount of money

flowing into our economy.

#5. Last, but not least "The Badlands WSA". The Badiands should go back to multiple use and be withdrawn from Wilderness consideration. From the start this place is wrong for Wilderness. Solitude? You can hear trucks on highway 20 anywhere within the boundary. Now there will be a new highway on the Eastern boundary. Untrammeled by man? Hah. Stumps everywhere from years of legal wood cutting for fence posts, firewood, housing materials for the homesteaders. There is a currently operating open pit mine, a World War II bombing range. This is not my idea of a Wilderness area. Go look at Jefferson or the Three Sisters Wilderness. That's what a Wilderness is supposed to look like. Also, the BLM supervisor at the time broke the rules from the beginning, WSA guidelines said all existing roads and trails were to remain open. He closed half of the roads and all of the trails. The first time I saw the piecephs in Dry Canyon was in the sixties and they were vandalized then. I hate to see any kind of vandalism, but more aggressive law enforcement is what we need, not closures.

Thanks for letting me express my ideas and I hope you made it to the end of this lengthy letter.

Larry Ulrich P.O. Box 491 Bend OR 97709 541-382-3837 day w M

Larry W Ulrich
PO Box 491
Supporter Bend, OR 97709-0491
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JANUARY 12, 2004

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BUREAU OF LAND MANAGEMENT 3050 NE THIRD STREET PRINEVILLE, OR 97754 JAN 1 5 2004

BLM PRINEVILLE DISTRICT

ATTENTION: TEAL PURRINGTON

WE ARE CONTACTING YOU IN REGARDS TO THE PROPOSED GRAVEL PIT ON BARR ROAD. WE WOULD LIKE TO LET YOU KNOW WE VEHEMENTLY OPPOSE THIS SITE FOR THE PIT. ONE OF THE MANY REASONS IS THE ENVIRONMENTAL IMPACT ON THE LAND AROUND THE SITE; ON THE ANIMALS AS WELL AS HUMAN. THE PROXIMITY TO RESIDENTIAL AREAS IS FRIGHTENING, AS WE HAVE NUMEROUS ANIMALS, AND WE ARE HAVING OUR FIRST CHILD SOON. THE SHEER AMOUNT OF TRAFFIC WOULD BE VERY DANGEROUS. BARR ROAD IS HEAVILY USED BY HORSE BACK RIDERS, RECREATIONAL ENTHUSIAST, AS WELL, MANY PEOPLE WALK/ JOG EITHER WITH OR WITH OUT THEIR CHILDREN; SURELY YOU CAN SEE HOW DANGEROUS A HEAVILY TRAVELED ROAD WITH GIANT TRUCKS WOULD BE. WE MOVED HERE RECENTLY, AND DID SO BECAUSE OF PRIVACY, THAT WOULD BE DESTROYED AS WELL OUR PROPERTY VALUES WOULD PLUMMET.

THE OTHER SITE PROPOSED ON 126 IS A MUCH BETTER OPTION. IT WOULD NOT IMPACT A RESIDENTIAL AREA. ALSO, PROPOSING TO RUN THE TRUCKS ON BARR ROAD EVEN IF THE SITE IS ON 126, IS A VERY BAD IDEA FOR THE AFOREMENTIONED REASONS. I HAVE ALSO BEEN INFORMED THAT A STUDY WAS DONE ON THE NECESSITY OF ANOTHER GRAVEL PIT AND THAT THE FINDINGS WERE—SUCH THAT THERE IS TEN TIMES ENOUGH GRAVEL FOR THE NEXT FIFTY YEARS AT THE CURRENT SITES.

PLEASE KNOW THAT THIS PIT WOULD NEGATIVELY IMPACT THE LIFE OF ALL BARR ROAD RESIDENTS, AS WELL GERKING MARKET ROAD. OUR PROPERTY VALUES WOULD DROP, AND THE TOXICITY OF THE TRUCKS AND THE PRODUCTION OF THE AGGREGATE WOULD GREATLY HARM HUMANS AND ANIMALS ALIKE. WE DO NOT WANT OUR QUALITY OF LIFE DESTROYED TO PLACATE ODOT. WE DON'T SEE THIS SITE AS A LOGICAL ONE SEEING AS THERE IS ANOTHER OPTION. THANK YOU FOR TAKING THE TIME TO LISTEN TO OUR REASONS AS WHY NOT TO PUT THE PROPOSED SITE ON BARR ROAD.

THANK YOU-

SARAH BECKWITH

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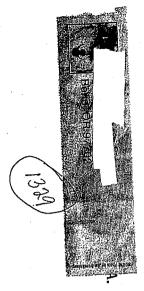
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Comment Form

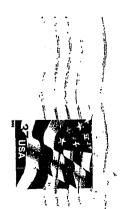
For public input on the Draft Upper Deschutes Resource Management Plan and Environmental Implies Call Management

JAN 1 5 2004 Today's Date: 1/5/03 BLM PRINEVILLE Your name (please print): DISTRICT Representing (put an X in one box only): self only, or □ business, organization, or agency (list): Street Address, State, and ZIP: Phone: E-mail: Important Privacy Notice: All written comments, including names and street addresses, will be available for public review upon request, and may be published by the BLM during the planning process. However, as an individual you can ask us to withhold your name and address. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety. If you checked "self only" above, and would like us to withhold your name, put an X in this box: Of course, as a motorcycle viding family Comments: we are unhappy with any closures. What worries me the most is that with fewer places to ricle there will be more damage done to those areas and then, like a selffulfilling prophecy, people will point to motorcycles as the most damaging use. You must provide motor cycles with alternate ridely areas, not just closures.



Prineville BLH
Draft UDRMP
3050 NE 8rd Str.
Anneville, 012
977754





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BLM PRINEVILLE DISTRICT

www.bendparksandrec.org

#1330

Administration & Recreation Services 200 N.W. Pacific Park Lane Bend, Oregon 97701 541/389-7275 FAX 541/388-5429

Bureau of Land Management

Attention: Mr. Robert B. Towne, Field Manager, Deschutes Resource Area

Cc: Teal Purrington 3050 NE Third Street Prineville, OR 97754

RE: Comments on the Upper Deschutes Resource Management Plan Draft

The following are suggestions for the management of recreation activities that we would like to see in the UDRMP draft under all of the alternatives proposed:

- 1. Begin to develop non-motorized trail systems for mountain bikers, hikers and other non-motorized users. Developed trail systems will benefit those recreational users who are mountain bikers, from out-of-the-area, casual or infrequent local visitors, or those who lack the skills to competently navigate the local terrain.
- 2. Specifically state that cross-country recreational travel on foot is allowed under all alternatives. Allow recreational users (including Special Recreation Permit holders) who are traveling on foot the same access to all areas, without restriction to designated roads and trails, that are open for mineral exploration, rock hounding, livestock grazing, and hunting.
- 3. Work with Special Recreation Permit holders and group users to educate them about wildlife, vegetation and habitat, archaeological, and other land management concerns, so that these areas can be avoided during sensitive times of the year. Commercial SRP holders can then provide a public service while protecting resource values and minimizing conflicts with other recreationists and adjacent landowners.

The arguments for these changes are as follows:

The Bend Metro Park & Recreation District has been leading recreation programs onto public lands for years under a Special Recreation Permit with the BLM. We believe that District programs allow local community members a low-impact, healthy way to explore and enjoy a wide variety of destinations on public land. Additionally, our programs provide a useful tool for educating new users about the fragile high desert ecosystem and how to practice Leave No Trace principles.

The vast majority of our use is during non-summer months by our adult hiking programs. Because our outdoor programs try to expose participants from the local community to a variety of destinations, we rarely visit any one BLM destination more than twice per year. We often go years between visits to many locations because BLM land is so expansive and established trails

are so few. Our experienced outdoor leaders often travel cross-country using GPS headings and occasionally follow existing tracks and trails.

There is no extensive established trail system currently in place, as this document recognizes, and the UDRMP does not give an accounting of the miles of currently established non-motorized trails in the study area. The document only notes that:

"Trail hiking opportunities on BLM administered lands in the planning area are limited by the lack of identifiable, designated and signed trails. Only a few developed and maintained hiking trails exist on BLM administered lands in the planning area..." (pg 307, Chap. 3, vol. 2).

Consequently:

"Over the short-term, all annual special recreation permits for trail use would not be renewed until such use was authorized on designated trails that are part of BLM's transportation system... However, this would also provide an impetus for trail designation in areas that currently do not have any identifiable trail systems." (pg. 479, Chap. 4, Vol. 2)

While all action alternatives call "for an increase in non-motorized trail development," it is unlikely that there will be a rapid development of an extensive non-motorized trail system for many years due to funding limitations.

Hiking on roads and trail systems that are shared by motorized vehicles would not be considered a quality recreational experience by many of our hike leaders or the vast majority of our program participants, and are currently avoided where possible. Under all of the proposed alternatives in the Upper Deschutes Resource Management Plan draft, it appears that hiking programs would be restricted exclusively to established roads and trails. There is an implicit suggestion that all areas will be closed to cross-country foot travel. With no dedicated non-motorized trail system, hiking opportunities are severely limited if cross-country travel is prohibited.

Under a policy restricting all foot travel under Special Recreation Permit to designated roads and trails, the Bend Metro Park & Recreation District's outdoor program is likely to find far fewer attractive destinations for our programs. The possible result will be that our use will concentrate on the few established trails, increasing our impact on the resource. Individuals using the few existing trails in the future will likely encounter more and larger hiking groups than they currently encounter, groups who previously would have been distributed to more remote areas.

This would be an unfortunate situation, given that other user groups on these BLM lands seem to be granted much greater access under all proposed alternatives. In the UDRMP:

- 374,365 acres are open under all alternatives to mineral leasing. Table ES-3 (Pg. xxxix, Vol. 1) and Table 4-17
- 331,677 (or greater) acres are available for rockhounding, Table 4-18

- 228,685 (or greater) acres are available for livestock grazing. Table ES-3 (pg. xxxviii, Vol. 1)
- 153,081 (or more) acres are available year-round for motorized vehicle use for recreation (multiple use with shared facilities), Table ES-3 (pg. xxxix, Vol. 1) and Table 4-22
- Nearly 97% of all the land in the management area is open for hunting (hunters are presumably **not** restricted to designated roads and trails.) Table 2-1 (pg. 213)

Yet, at most, 87,832 acres may be designated for exclusive non-motorized use management under Alternative 7 (Table 4-22). Given that non-motorized recreationists would be restricted to designated roads and trails, most of these acres are not actually accessible, but can only be explored visually as part of the landscape surrounding roads and trails.

Some would argue that these other uses (mining, rock hounding, livestock grazing, motorized vehicle recreation and hunting) all have the potential for significantly greater impacts on the landscape, wildlife and vegetation, than a hiking program. Under all of the proposed alternative management plans, groups identifying themselves as "rockhounders" or "hunters" can presumably wander through more than 331,000 acres, but an organized hiking group under an SRP would be limited to "only a few developed and maintained hiking trails..." that exist on BLM administered lands in the planning area.

That raises the question: If the area's too sensitive for us to hike through, then why does the UDRMP allow cows, miners, hunters and other users access to the same area?

Ironically, the "Big 4" permit users currently being reviewed (BMPRD, HDM, COCC, and OMSI) may be some of the most conscientious users of public land, incorporating strong educational components to programs that often include promotion of Leave No Trace ethics among participants. These four organizations may be some of the BLM's best allies in achieving the stated vision of how public lands would be managed in the future, a vision that includes:

"Commercial recreation opportunities provide a public service while protecting resource values and minimizing conflicts with other recreationists and adjacent landowners." (pg.27, chap. 1, vol. 2)

The UDRMP would take these allies out of the broader landscape and restrict them to roads and trails. An alternative would be to work with these organizations to educate program leaders to current management issues and concerns that a cash-strapped BLM is facing. In turn, our organizations could then help educate the public about these issues through our programs. Organized programs would also provide additional "eyes" in the field, possibly discouraging unwanted or illegal activities by the non-permitted general public.

Finally, maintaining public access to the largest areas of public land possible is also in line with President Bush's June 20, 2002 Executive Order on activities to promote personal fitness. This Executive Order, in part, directs Federal agencies to provide opportunities for "increasing the accessibility of resources for physical activity, and reducing barriers to achieving good personal fitness." Under President Bush's *HealthierUS* Initiative, administration actions to promote physical activity include "the use of public lands and water."

Developing a network of non-motorized trails on BLM lands will eventually provide greater opportunities for encouraging personal fitness on public lands, and is a laudable goal. But the near-term restriction on hiking and walking programs, two physically healthy activities, to established roads and trails, seems to contradict the intent of the *HealthierUS* Initiative by apparently restricting use of public lands and creating barriers to achieving good personal fitness by those who wish to explore their public lands on foot.

Thank you for considering these comments.

Respectfully.

Eric Denzler, Recreation Program Coordinator

Bend Metro Park & Recreation District

200 NW Pacific Park Lane

Bend, Oregon 97701

(541) 389-7275

Note on Errata in Draft

Recreation section of Table ES-3 (pg. xxxix, Vol. 1) uses rounded numbers when rest of table is not rounded. Also see Recreation Management Emphasis, ALT 4. Numbers don't agree between Table ES-3 and Table 4-22.



Bureau of Land Management Attention: Teal Purrington 3050 NE Third Street Prineville, OR 97754

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The Minister of the Committee of the Com



Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271

503-986-0900 FAX 503-986-0904

January 13, 2004

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JAN 1 5 2004

BLM PRINEVILLE DISTRICT

Teal Purrington
Bureau of Land Management
Prineville District Office
3050 NE 3rd Street
Prineville, OR 97754

Re: Draft Upper Deschutes Resource Management Plan (RMP)/Draft Environmental Impact

Statement (DEIS)

Dear Mr. Purrington:

The Oregon Water Resources Department (OWRD) appreciates the opportunity to comment on water resources related issues connected to the Bureau of Land Management's (BLM) Draft Upper Deschutes RMP/DEIS. OWRD is responsible for administering Oregon's laws governing surface and ground water resources. Our comments are aimed at a couple of water related processes that the draft Upper Deschutes RMP/DEIS addresses.

The Draft RMP/DEIS proposes alteration of existing water uses, which may be covered by existing water rights, and/or addition of new water uses. In addition, the plan identifies that of the several developed springs and small reservoirs on BLM managed lands, only two reservoirs have appropriate water rights.

Any alterations to existing water rights, including place of use, point of diversion and character of use, in Oregon need to be made through the OWRD transfer process where applicable. This may include, for example, the transfer of an existing irrigation right to instream use.

In addition any new or existing uses of water in Oregon, not covered by an existing water right, claim, or an exempt use, including water used in association with vegetation treatments, riparian area restoration, military training facilities, storing water (reservoirs/ponds - for example, see ponds mentioned on page 227, page 283, and page 304), mining, livestock use, geothermal well development, and campground use, need to be authorized through one of the OWRD water use authorization processes.

Water sources requiring authorization for use include surface water, ground water, and may include waste water (runoff, canal overflow) sources.

• The Draft RMP/DEIS does not have enough details to be useful in comments on the designation of the Tumalo Canals Area of Critical Environmental Concern (ACEC). It is not clear whether the canals subject to this designation are also currently in use for water delivery purposes. OWRD needs to understand how this designation may impact the diversion of water through the Tumalo Canals, any future modifications that the Irrigation District may want to make to the delivery system, and/or the Department's ability to require efficient delivery of water through the canals affected by this designation. While the Department supports protection of historic resources, the Department is also interested in maintaining the ability of water users to conserve and deliver water in an efficient manner.

One such program opportunity that may be affected is the ability of the Irrigation District to apply for a conservation project under the Oregon Water Resource Department's Allocation of Conserved Water Program. This program allows existing water right holders to make improvements to their delivery system or implement on farm efficiencies that result in some portion of conserved water. A portion of this conserved water may then be applied to additional lands or transferred to another type of use, such as instream use. It is important for OWRD to understand whether designation of the Tumalo Canals as an ACEC could hinder this conservation process.

Thank you again for this opportunity to comment on the BLM's draft Upper Deschutes RMP/DEIS. If you have any questions or would like to talk in more detail about any of the comments offered by the Water Resources Department, please feel free to contact me. I can be reached at (503) 986-0910.

Sincerely,

Phil Ward
Deputy Director

Water Resources Department 725 Summer St NE Suite A Salem, OR 97301-1271

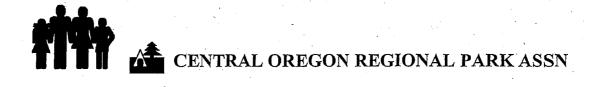
ADDRESS SERVICE REQUESTED

U.S. POSTACE

Surville, OR 97754 Management

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January 14, 2003

Robert B. Towne
Field Manager- Deschutes Resource Area
U.S. Department of Interior
Bureau of Land Management
Prineville District Office
3050 NE 3rd Street
Prineville, OR 97754

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JAN 1-5 2004

BLM PRINEVILLE DISTRICT

RE: Comments to Draft Upper Deschutes Resource Management Plan and EIS

Dear Mr. Towne:

The Central Oregon Regional Park Association is a non profit organization formed for the sole purpose of establishing regional park facilities for the use and benefit of all residents of Central Oregon. We are writing to provide comment in response to the "Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement" (hereafter the "Draft Management Plan").

The Central Oregon Regional Park Association (hereafter the "RPA") has identified an area south of the Deschutes County fairgrounds that provides the ideal location for the establishment of regional park facilities. This area is designated and described on the attached map. The RPA intends to work with BLM, under the requirements of the Recreation and Public Purposes Act, to acquire the identified federal lands for use in connection with public park facilities. Currently, these lands are designated by BLM as "Community Expansion." Under Alternative 7 (the preferred alternative under the Draft Management Plan), these lands would be designated as "Z-1" (zone 1- intent to retain). This proposed change in the federal designation would create significant additional impediments to our plan to develop a regional park facility. As a result, we are writing to request that Alternative 7 of the Draft Management Plan be revised to reflect the Z-2 designation for these lands. "Z-2" (zone 2- federal retention with option to exchange for lands of equal or greater value), designation provides the RPA with the flexibility to move forward and work with BLM to establish a regional park.

Currently, the Upper Deschutes Planning area contains relatively few developed recreational sites on BLM managed lands. Nearly all of these BLM sites are campgrounds along the Lower Crooked River, Chimney Rock Segment Wild and Scenic River Corridor between Prineville and Prineville Reservoir. The remaining BLM

recreation sites are staging areas at the Millican and Rosland Off Highway Vehicle(OHV) areas, primitive campgrounds such as Steelhead Falls Campground on the Deschutes River, or picnic areas such as Reynolds and Mayfield Ponds east of Bend. These sites do not have running water, paving or maintained roads. A few of these sites (Rosland OHV play area, ODOT Pit OHV play area, Steelhead Falls campground) do have portable toilets, as an improvement. Many of these sites are difficult to access, some are located in residential areas, and few, if any, have directional signs or improved and/or designated parking areas.

No sites in the Draft Management Plan have been designed or maintained for group use, RV camping, picnicking, or day use activities on BLM managed lands within the planning area. For the most part, camping and picnic areas and other developed recreational opportunities are provided by National Forest facilities, State Parks, or Bend Metro Park District areas. With the rapid population growth in Central Oregon, many communities are finding a shortage of developed parks for picnicking, trail use, and sports activities.

As Central Oregon continues to grow, the demand for a variety of recreational sites, as well as, access for outdoor recreational opportunities, will continue. In addition BLM (as noted in the Draft Management Plan), has received a substantial increase in requests for Special Recreation Permits to accommodate a wide variety of group uses, including outdoor concerts and large group camps. These permit requests are difficult to accommodate due to the lack of designated or developed sites, and are routinely denied.

Overall, the demand for developed recreation sites is increasing as the area's population grows. Both Bend and Redmond are currently facing shortfalls in developed recreation sites that would provide playing fields, picnic areas and recreational water facilities for use by canoe, kayak, and non motorized watercraft users, as well as, use by general family groups. The Bend Metro Park and Recreation District has identified the Bend Pine Nursery parcel, a USFS managed parcel, as a possible sports park site. However, the district faces a shortfall of funds to make this project happen (Bend Bulletin, 5-17-01), and some local residents fear development of a sports park will result in increased traffic and nighttime light pollution. The Central Oregon Park District (Redmond) has identified similar needs for additional playing fields, river access points and park areas that can serve groups. Facilities such as pavilions, that offer amenities such as water and electricity are typically booked solid during the summer (personal conversation, Katie Hammer, Central Oregon Park District).

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for a centralized area, large enough to support a "regional park" that is adequately served by transportation, is greatly needed.

It is the intention of the Regional Park Association to pursue a fiscally sound approach to achieving this goal, and we believe it is absolutely essential that a Z-2 zoning designation be identified for this area.

Thank you for your consideration of our request.

Sincerely,

John Pewther

Central Oregon Regional Park Association

Myles Conway

Central Oregon Regional Park Association

Lee Howard

Central Oregon Regional Park Association

cc: Molly Chadet



BOARD OF DIRECTORS

John Pewther – (Redmond Planning Commissioner)
Myles Conway – (Attorney – Schwabe Williamson & Wyatt)
Shelly Blais – COPRD (Central Oregon Park and Rec District)
Steve Storlie – (Director United Soccer League)
Lee Howard – (Chairman- St. Chas Hospital Foundation)
Jim Bryant – (United Soccer League)

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Robert B. Towne
Field Manager- Deschutes Resource Area
U.S. Department of Interior
Bureau of Land Management
Prineville District Office
3050 NE 3rd Street
Prineville, OR 97754







CENTRAL OREGON REGIONAL PARK ASSN

January 14, 2003

Robert B. Towne Field Manager- Deschutes Resource Area U.S. Department of Interior Bureau of Land Management Prineville District Office 3050 NE 3rd Street Prineville, OR 97754

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JAN 1 5 2004

BLM PRINEVILLE DISTRICT

RE: Comments to Draft Upper Deschutes Resource Management Plan and EIS

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cc: Molly Chadet



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Lee Howard – (Chairman- St. Chas Hospital Foundation)
Jim Bryant – (United Soccer League)

Molly Chaudet
Bureau of Land Management
Prineville District Office
3050 NE 3rd Street
Prineville, OR 97754



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#1334

JAN 1 5 2004

U.S. Dept. of Interior Bureau of Land Management 3050 NE Third Street Prineville, OR 97754

BLM PRINEVILLE DISTRICT

Attn: Teal Purrington

Re: Upper Deschutes Resource Management Plan

We own property along the Middle Deschutes adjacent to a parcel of BLM land in the vicinity of Odin Falls. Mr. Parker Johnstone, an adjacent neighbor of ours and I met with Mr. Greg Currie of your office to relay our knowledge of the present use of the BLM lands in our area and the problems we have as a result of that use.

The BLM land referred to is a dumping ground for trash and debris, a party area for the use of drugs and alcohol, shooting in an area that is posted "No Shooting", illegal hunting, trespass onto private property, destruction of private property, and overnight camping, to mention a few of the problems.

We strongly support the designation of the BLM area adjacent to us as no motorized vehicles, the fencing and blocking of obvious access locations for vehicles, no hunting and shooting, no camping and day use only.

As relayed to Mr. Currie, we have the equipment and materials to assist BLM in completing some of the work necessary to help deter the violations of the designations for the BLM property which we support.

mabe

We are always available for consultation with your staff as desired.

Yours truly,

Susan & Gary McCabe 5110 NW 83rd Street Redmond, OR 97756 541/504-0039 420-1250

cc: Elaine Marquis Brong, State Director Oregon/Washington BLM 333 SW lst Avenue Portland, OR 97201

Barron Bail, District Manager Prineville District BLM 3050 NE Third St. Prineville, OR 97754 Robert Towne, Resource Area Manager Deschustes Resource Area Prineville District BLM 3050 NE Third St . Prineville, OR 97754

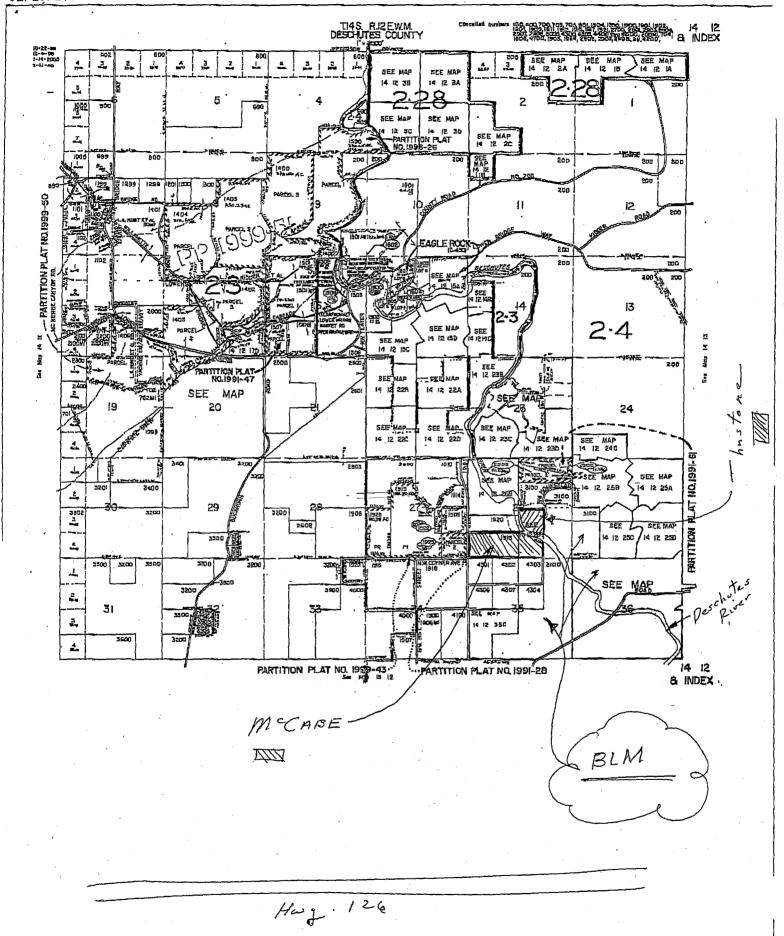
Margaret Wolf Recreation Program Lead Oregon/Washington BLM 333 SW lst Avenue Portland, OR 97201

Greg Currie Recreation Planner - Upper Deschutes Planning Team BLM - Prineville District 3050 NE Third St. Prineville, OR 97754

Comment Form

For public input on the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement

Today's Date: 1/14/04
Today's Date: 1/14/04 Your name (please print): 6ARY L. MCCARE
Representing (put an X in one box only): Self only, or
☐ business, organization, or agency (list):
Street Address, State, and ZIP: 5110 N.W. 83 - 5t. (P.O. Box 1743) Redmond, Or
Phone: (541) 5040039 E-mail: on the river & coinet. com
Important Privacy Notice: All written comments, including names and street addresses, will be available for public review upon request, and may be published by the BLM during the planning process. However, as an individual you can ask us to withhold your name and address. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety. If you checked "self only" above, and would like us to withhold your name, put an X in this box: \square
Comments. 01 the the letter.



RECEIVED JAN 15 2004 BIM PRINEVILLE DISTRICT



December 23, 2003

Mr. Greg Currie Recreation Planner – Upper Deschutes Planning Team Bureau of Land Management 3050 NE Third Street Prineville, Oregon 97754



RE: Upper Deschutes Resource Management Plan and Environmental Impact Statement

Dear Greg,

CSEISOUS:

I hope your Holidays were joyous!

I wanted to thank you for spending time with me and my neighbor, Gary McCabe during our meeting in December. I appreciate your expertise and guidance.

Please find following the letter I composed regarding my thoughts on the Upper Deschutes Resource Management Plan.

Once again, thanks! abacts and grief burn a strand drops on buots and for the total war.

For the past fifteen years I have lived on the property located north of Tetherow Crossing, which is bordered by the centerline of the Deschutes River to the west, and surround by BLM land on all other sides. Odin Falls lies just inside the southwest corner of our property boundary.

provided to Princy lie to meet with several Edwistor's members. I support the proposed

My family has spent a great of time and effort maintaining and policing the BLM land that surrounds us. Through daily observation, we have seen only a handful of regular "legitimate" users of this parcel of BLM land. These users comprise hikers and horseback riders. The rest of the "users" have been engaged in unlawful activities. Dumping, tree cutting, drug and excessive alcohol consumption, child abandonment, improper/dangerous use of firearms, destruction of private property, access across our property resulting in trespassing, have been some of the actions that we have observed, deterred or stopped.

I have read the Upper Deschutes Management Plan, attended the local meetings, and traveled to Prineville to meet with several BLM staff members. I support the proposed "alternative 7" as it impacts the BLM land that surrounds our property for the following reasons:

[1982] The surrounding BLM land to motorized vehicles will significantly reduce the amount of illegal activities that currently are very difficult to police. My neighbor, Gary McCabe, and I hired off-duty Deschutes County Sheriffs this past summer (6 hours a day, seven days a week) to patrol our properties due to the epidemic number of

trespass problems we experienced. BLM land (and road use) is and has been used simply as a means to access our property.

Illegal dumping has also become an issue. We fill a full-size pickup approximately every six weeks with trash. Items have ranged from household garbage and lawn clippings to appliances, beds, batteries, and used motor oil. Last summer we witnessed cars, a camper trailer, a motorhome, and a 5-ton flatbed truck being abandoned on your land. Blocking motorized access will greatly help reduce or eliminate this problem as well.

We occasionally get unlicensed drivers (under 16) riding dirt bikes and 4-wheelers on the surrounding BLM land. These riders don't have their parents trailer their bikes here, but rather, they ride some distance on county roads to get to this BLM parcel. So, we have unlicensed riders on bikes that aren't street legal, riding at speeds well above the posted limits, traveling miles to ride on this section of BLM. Unfortunately, these riders don't stay on the established trails, but "criss cross" the BLM land, doing substantial damage to the natural flora. We have observed that it takes years for the land to repair itself from this sort of use. Although this happens infrequently, it still is a concern. With the conflicting use needs, there have been problems between the riders and the hikers and horseback riders.

As stated earlier, the few regular users of this BLM land are either hiking (in which case they park at the "head" of the road – we see a car a week on average), or, they're neighbors riding their horses. Restricting motorized use would allow us to better monitor and to report any illegal activity on this BLM section of land.

- 2) Second, we support the ban on firearm discharge on this BLM parcel. Hunting would not be safe due to housing density. This is a relatively small area of BLM land, and a high-powered rifle's bullet can carry very far. Over the past fifteen years, the land surrounding the BLM parcel has been almost entirely developed, now surrounded by single-family dwellings. Without exact knowledge of the placing of these homes, shooting in this area is not safe. In addition, any hiker or equestrian would be in peril. There are few natural backdrops to use as "stops" for target practice, and the entire area is covered with rock, making ricochets inevitable.
- 3) Third, BLM is proposing that the BLM property due north of us (Steamboat Rock) be used on a three-year rotating basis by the military for training. With the substantial residential growth in this area, we question whether a MTA is a compatible use for this section of property. We would encourage MTAs to be designated to the east and southeast of the Bend/Redmond area because of the noise and traffic generated by military activities
- 4) Although not pertinent to the Upper Deschutes Management Plan, we are most concerned about the proposal to construct a parking lot on the BLM road that leads to our property. With present budget constraints, BLM funds could be directed to projects benefiting a much greater population (without the deleterious side effects of this parking lot proposal). The limited amount of parked vehicular traffic (an average of one car per week) does not warrant the construction of a parking lot. Since this proposed parking lot would not be visible from the county road, it would very much be an attractive nuisance. Some years ago, the area in front of our gate was used as a gathering place for high school students who spent their weekend evenings drinking

beer, using drugs, and setting fires. We were able to eliminate this problem. A parking lot would be open invitation for this problem to resurface.

In summary, we:

- 1) Support Upper Deschutes Resource Management Plan alternative 7, with few exceptions.
- Support closing the BLM parcel surrounding our property to motorized vehicular use.
- 3) Are concerned about the compatibility of a proposed MTA (military training area) in the Steamboat Rock area.
- 4) Adamantly oppose the construction of a parking lot on NW Homestead Way.

We have and will continue to be good stewards of this land. In order to continue this positive stewardship, we wish to assist you in your goals to maintain the land by offering to fund the necessary road, border, and fence enhancements to secure the BLM parcel surrounding our land to prohibit vehicular access.

If you have any questions or if there is any way we can be of assistance, please feel to call.

Most Sincerely

Parker Johnstone PO Box 1727

7291 NW Homestead Way Redmond, Oregon 97756

360-921-9600

Parker Johnstone PO Box 1727 Redmond, OR 97758

£ 10

Mr. Greg Currie
Recreation Planner –
Upper Deschutes Planning Team
Bureau of Land Management
3050 NE Third Street
Prineville, Oregon 97754

SER+PACA

JAN 1 4 2004

BLM PRINEVILLE DISTRICT 63520 Johnson Ranch Rd Bend, ar. 97701 January 13, 2004

Upper Resource Management Plan BLM Prenemille Office

Mollie Chaudet, My husband and I live south of the BLM Powell Butte area and ride horses, heke, run ele. in that area. The see first hand the destruction of the - juegetation and total disregard of the area due to jeeps, trucks, and ATV's. The realize it is public lands and we can share however no one should be allowed to destroy. I think the badland should be closed to motor wehicles to deter destruction and to make it a"quiet area." No one except ATV people enjoy the noise in a natural area. also I would like to suggest that & BM area be set aside during September, adober, and Dovember (the best months to rice horseback) as a
"No-Hunter" Zone as it's very unnerwing to
ide during hunting season. Please
Insider this for a least one BIM area.
Thankyou for your attention. Sincerely, Shana M. asher

Mollie Chaulet

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#1337) Jup of #298

QUAIL VALLEY RANCH LLC

P.O. Box 14111 Salem, OR 97309 503/370-7070

RECEIVED

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

January 13, 2004

Bureau of Land Management 3050 NE Third Street Prineville, OR 97754 Via Facsimile (541) 416-6798 and Via Airborne Express

Attn: Teal Purrington

RE: October 2003 Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement - Allotment Nos. 5132 and 5134

Dear Sir or Madam:

We are writing in regard to the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement. We are objecting to Alternatives 6 and 7 because those alternatives impact grazing on our BLM allotment property. We see nothing in the Draft Plan regarding compensation to us for our loss of rights for which we have paid.

We support Alternatives 1 and 2 and believe that grazing has been beneficial to the economic base of the community.

If you have any questions, or would like to discuss this matter further, please call me at (503) 370-7071, extension 7143. Thank you.

Sincerely,

QUAIL YALLEY RANCH

Bruce D. Thorn

BDT/sjm

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PRINEVILLE ATTN: TEAL PURRINGTON 541-446-6700

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Comment Form

For public input on the Draft Upper Deschutes Resource Management Plan and Environmental Impact Statement

Today's Date: //12/04 Your name (please print): MARIANNE WALKER
Your name (please print): MARIANNE WALKER
Representing (put an X in one box only): Self only, or GRABNE PERMIT # 5007
□ business, organization, or agency (list):
Street Address, State, and ZIP: 65895 W. HWY 20, BEND 0R97707
Phone: (541) 389-4809 E-mail:
Important Privacy Notice: All written comments, including names and street addresses, will be available for public review upon request, and may be published by the BLM during the planning process. However, as an individual you can ask us to withhold your name and address. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety. If you checked "self only" above, and would like us to withhold your name, put an X in this box:

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JAN 1 4 2004

BLM PRINEVILLE DISTRICT

Continue your comments on additional pages



BLM Upper Deschutes Management Plan Attention: Teal Purrington

The following comments are specific to the Tumalo Management area and particularly T16S R11E S16,17,20 &21. My grazing permit, Harsch #5007, is within this area and protection of this area is of tremendous concern to me.

- 1) I totally agree with retaining the winter deer range closure to motorized vehicles as shown on Map 8,alt#1. I think a year round closure such as Map 17, alt #3 is even a good idea for the Tumalo Deer Range. I have observed a huge increase in ATV and mostly pick-up travel within the Tumalo Winter Deer Range during about the last 10 years. They access this area from Sizemore Road and have turned what were barely noticeable paths into well-worn dirt roads. There is even evidence of a well used Neo-Nazi camp, with a huge campfire and spray painted swastikas on the trees. Vehicles are only one of the reasons we found years ago that this is a very difficult area to use for grazing. Fences knocked down by elk, cut down by people & opened up to drive thru, are reasons I feel our grazing permit is best left in permanent retirement. This areas' highest and best use is not only for the wildlife, but also for current favorites of hiking and horseback riding.
- 2) The wildlife management emphasis shown on Map 25, alt.#3 shows my area of interest as "primary". Keep it that way. I have recently been deeply involved with protecting this area from a text amendment to the code. A developer would like to possibly cite a "firearms training facility" on a property owned by Tumalo Irrigation District. if they can get the County Commissioners to allow "firearms training facilities" in F1 & F2 zones, regardless of the wildlife overlay. My neighbors and I have retained a lawyer to help us see that if the text amendment is put in the code that it includes an exemption that prevents any such use in a winter deer range or wildlife zone. We retained Mike Golden, retired ODFW wildlife biologist as our. He has pointed out that this is the lowest area around for the deer and elk herds to winter in. It also is like the neck of an hourglass, funneling wildlife down from the Cascades, through this area and on east of Hwy 20 to the Cline Buttes. This area is key to the wildlife migration. I believe BLM should partner with ODFW in protecting the winter deer range
- 3) Land acquisitions: map 34, alt.#7. I have noted that you have the Tumalo Irrigation District 240 acres plus their nearby 40 acre parcels and the ODOT land pinpointed for acquistion. That would be acceptable. I made several offers on the TID land in 2001; they sold me 150 acres, but refused to sell all 390 acres to me. My vision for the land is to keep it as it is now, for horseback riding and hiking and wildlife.
- 4) There is one environmental impact that has not been considered, probably because you are not aware of it. TID irrigation ditch known as the "Highline" serves my ranch and other ranches and travels through 16-11-21.TID is proposing to bypass this ditch and put that irrigation water into a 2 mile pressurized pipeline which would run across private land and would dry up the "highline" ditch. That would eliminate 2 miles of ecosystem that the wildlife have used for water, forage and habitat for probably 50 years or more. The old Ponderosa pines will probably eventually die. TID doesn't plan to run water in that ditch in the future, after a few monthly runs to "harden off" the trees. Wildlife will be dependent upon farm ponds

Sincerely,

Marianne Walker 65895 W. Hwy 20

Bend, OR. 97701

(541) 389-4809

Jan. 12, 2004





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BLM - Bruse H. 3050 M.C. 3rd St. Brusweller, OR 97754 A STORES SOO A WARRING AND MAINTAIN THE THE STATE OF SOO AND STATE OF SOO AND

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Mrs. Marianne Walker 65895 Highway 20 Bend, OR 97701-9190 #1338

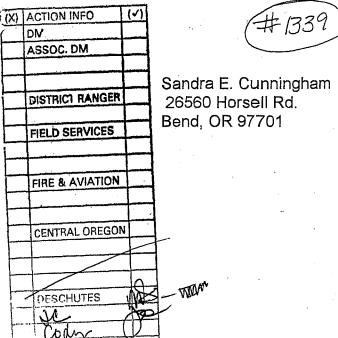
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JAN 0 9 2004

BLM PRINEVILLE DISTRICT

> Bureau of Land Management Prineville District Office 3050 N.E 3rd Street Prineville, Oregon 97754 attn: Robert Towne Deschutes Field Manager

Dear Mr. Towne;



My husband, Jerry, and I presently have the lease on the Bruckner allotment in Alfalfa. We are presently grazing 6 horses for 6 months on that lease. In total, we presently have 11 horses and about 20 goats for milk and meat. We have only 13 acres of marginal land planted in grass for hay, and no irrigated pasture on our private land. We rely very heavily on our BLM lease to feed our animals.

We have been very careful to protect the resources on our BLM lease. We have kept up the fences and repaired and replaced gates. We have been prepared to pull our horses off of the lease if the grass seems to be dwindling, though it actually seems to increase each year. We negotiated with the Central Oregon Irrigation District to make sure that, when they put a cattle guard across our driveway, they also put in a walk-through gate for our neighbors who cross our private land to get across our BLM lease to the open range to ride their horses. We informed the BLM of misuse of the land occurring in the form of people driving vehicles off of the established roads, and signs were made and put up to encourage people to protect the land.

We are in the process of breaking our young horses to pull carts and be ridden, so that we can gradually sell some of them and reduce our horse herd. But this is a slow process, and the horse market is presently very poor. If we did not have our BLM lease, we would not have enough hay to feed all our animals the year around, and would have to buy hay, which we cannot afford.

We hope, in the next few years, to plant dryland grass of some sort on the desert portion of our private land and to replant our hayfield, which is presently producing rather poorly. At the same time, we would talk with someone at the BLM to discuss the possibility of planting some sort of native grass on our BLM lease. We are hopeful of being able, in the future, to work with the BLM to make other improvements on the BLM lease. At present, we are not financially able to do much, but we hope that this will change soon, as we pay off debts and get into a better financial position.

All together, we hope for a long future of cooperation with the BLM to protect and improve the natural resources on our lease.

Sincerely,

Sandra E. Cunningham

Jerry Cunningham Sandra E. Cunningham

26560 Horsell Rd. Bend, OR 97794 Bureau of Land Management Prineutile District Office 3050 N.E. 2 of Street 2050 N.E. Prinedille,

athri Robert Town e Deschutes Field Manager

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#1340

January 9, 2004

Bureau of Land Management Redmond, OR 97756 Pringuille

RE: Multiple use of BLM allotments

To Whom It May Concern:



We have run cattle on the pipeline allotment in Powell Butte for many years. We pay grazing fees, and we strive to leave the grass in good shape each year. We are solely responsible for all fencing which involves new fences or fences that we are continually maintaining. This year, at our own expense, have put in six new metal gates to help the public remember not only to close them when cattle are present, but also to make it easier and more convenient for them to close.

We believe in multiple use, however; there are times when we wonder about the disrespect shown to these lands, such as trash dumped or fences that have been cut for convenience rather than locating a gate.

The National Guard operates their activities on our allotment, as well, which while being necessary, can be very hard on the crested wheat seed on the gas line. Even the roads that are out there, are so heavily traveled, that the dust is a challenge.

Unfortunately, the public does not realize the monetary contribution that a rancher supplies to a BLM allotment. Rather, they hear of the "considerable break" we get to run cattle there, and how hard livestock is on the terrain. The agriculture sector is so busy trying to make a living, that there is little time for

public relations, other than doing the best that we can as the true environmentalists of this nation.

Sincerely,

Pat and Naida Miller

14900 SW Miller Trail

Powell Butte, OR 97753

548-3509

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JAN 1 4 2004

January 10, 2004

BLM PRINEVILLE DISTRICT

Dear Project Team Leader:

I reviewed the Upper Deschutes Plan and the preferred alternative. I would like to specifically comment on OHV use of public lands within the project area. Generally, I support the preferred alternative. I am pleased to see the BLM addressing the issue of uncontrolled use of OHV's on our public lands. I support the concept of closing much of the project area to OHV's use and understand the agency's mission to provide for some use through developed trail systems.

The project area is very large with complex issues and it is difficult to grasp the impacts of the preferred alternative and any cumulative effects. I believe that the project covers too large an area to allow for good decision making and valid public comment on many issues. Planning areas should be smaller or should deal with limited issues to be most effective.

In general I oppose OHV use of public lands. I do not support uncontrolled use or developed trail systems. Developed trail systems are the lesser of two evils however and I do understand that the BLM has a mandate from congress to recognize this multiple-use and properly manage it. The main reason for my comment to the project is to ensure that your public scoping process is not one-sided, as I know that OHV groups are well organized and that they have good financial resources. These groups also get support from the recreational vehicle industry that profits from them and this is a large advantage that other groups don't have. In addition, the State of Oregon has a program to collect money for OHV users and this program provides dollars for the development of improvements (trail systems, staging areas, signs, trail maintenance, etc.). This Oregon program is another incredible advantage for this special interest group, the significance of which I believe many public land managers and private citizens fail to appreciate. It provides political "clot" for OHV users and program dollars that give this group an unfair advantage in the process.

I believe that OHV use should be directed to private lands and not public lands. This is because I believe that the long term consequences and cumulative effects caused by OHV use will result in resource impacts greater then the ecosystems it uses can handle. The biological effects to wildlife, soil, vegetation, and air quality coupled with the effects to other recreation uses, livestock grazing, management of noxious weeds, and road management will be extensive if considered from a cumulative view point over decades.

As a frequent user of local public lands in Central Oregon, especially those around my house in Redmond, I especially dislike the noise, dust clouds, the safety threat they create on and off the road, "marred" landscapes, and the general disregard some users seem to have for the environment. I also find distasteful the actions some users exhibit in doing donuts on perfectly good roadways, in campgrounds, on trails, and in native habitats. The practical concern here is that land managers readily admit they do not have the

dollars needed to pay for road maintenance and many of these roads often have no maintenance. Extensive use of so called shared use roads by OHV's eventually results in these roads becoming only passable by OHV's due to the extensive moguls that develop. With no maintenance, this means the roads become the domain of one user group. I have personally observed this situation on many roads in Central Oregon whether these roads were in unmanaged OHV areas or in areas that contain designated trail systems. In my experience, OHV's present a great threat to public lands and native ecosystems especially when their use is unmanaged and uncontrolled.

Off of trails and trail systems OHV's travel across an unmarred landscape like a knife cuts the surface of your kitchen cutting board, fragmenting habitats. Such travel displaces soil and destroys the A-soil horizon that is so important to the plant and animal community. A decade ago in Red Rock State Park in central California was spending up to \$4,000 an acre to restore habitat damaged by uncontrolled OHV use of that area. BLM lands in the Redmond area exhibit the result of such conditions in places such as Dry Canyon and just east of town and north of HWY 126. The preferred alternative seems to close much of the project area to uncontrolled OHV use and I fully support that. I believe that developed trail systems need to be examined carefully before new systems are imposed and that the agency needs to be confident that it can meet its obligation especially when it comes to law enforcement which currently seems very inadequate to meet the needs of what already exists.

Vehicles of all kinds including OHV's are one of our largest potential disseminators of noxious weed seeds. Because OHV's "can go anywhere" as the advertisements say, they have the potential to transport noxious weeds to more locations than just road corridors on the public lands than highway vehicles. Introducing noxious weeds to more remote locations will reduce the likelihood of their early detection and control. The preferred alternative does implement some measures to deal with this threat, a threat that may prove to be the single most important resource issue in our decade. This issue alone should be enough to stop all uncontrolled use of OHV's outside designated trail systems.

Wildlife as a whole is struggling to survive our ever increasing population in Central Oregon and the associated urbanization of rural areas that are important to many species especially mule deer. Mule deer often require these same areas for winter range. OHV's and people using habitats disturb wildlife and can induce enough stress to result in the reduction in survival rates of animals. This is why for example sage grouse "leks" are protected, caves are closed in winter to protect roosting bats, and winter range is closed to vehicle access such as in the HWY 31 closure. Much of the Bend, Redmond, and Prineville suburbs are winter range and these areas do not receive season protection from vehicle use like the HWY 31 and Tumalo Winter Range areas do. Because OHV's can travel at high rates of speed, cover great distances in a short period of time, and go many places street legal vehicle cannot, they potentially pose a greater threat of disturbance to wildlife.

OHV's are becoming more and more popular to many groups for hunting, recreation, rock hounding, and general recreation and their use spans the year with increased

presence in traveled and remote areas causing a variety of problems such as road closure violations during hunting season, winter mule deer range impacts during the spring months, conflicts with sage grouse during mating and nesting season, and during summer for many species. Antler collecting using ATV's has become an important activity for many in the area and this is often the worst time for deer to be exposed to such stress. Antler hunters often grid entire areas with their machines looking for shed antlers. Year long area closures should benefit wildlife.

In the area where I live Deschutes County has established a Golden eagle habitat site. Special regulations guide building and use of the area to protect a nest along the Deschutes River at T15S., R12E., Section 1 SE ¼. I could not find in the Upper Deschutes Plan any reference to cooperative efforts to manage for similar goals on this BLM land north of Howells River Rim subdivision. Certainly this small piece of BLM ground west and east of the Deschutes River should be closed to OHV use year round to protect habitat not only during eagle nesting season but also so year round to protect habitat for their preferred food source, jack rabbits.

I applaud the plan for recognizing the need to control shooting in this area even if our reasoning differs. The plan appears to do it to protect local residents and I believe as important an issue is protecting prey species for the eagles and perhaps the eagles themselves. I should mention that I have used this area for shooting myself and have even harvested a deer here, and I will miss that opportunity, but I understand the need for change here.

Thanks for the opportunity to respond. I hope that my comments are considered in your decision. A written response to my comments is not necessary, but if you have additional questions you can contact me directly at (541) 548-7913.

Sincerely,
Don Sargent

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ATTN: Teal Purrington Cupper Deschutes Plan?

Princeville District Office

3050 NE 3rd street

Princeville 10R 97754

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Bureau of Land Management ATT: Teal Purrington 3050 NE 3rd St. Prineville, Oregon 97754

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JAN 1 4 2004

BLM PRINEVILLE DISTRICT

RE: Upper Deschutes Resource Management Draft.
Public Comment Process

As a concerned Central Oregon resident I would like to be on record as supportive of 'Current Range Vegetation Management'. The preferred alternative B.L.M. is proposing utilizes a newly formulated technique called 'Historic Range'. I support 'Current Range' over 'Historic Range' for several reasons.

- 1. Current range is the B.L.M.'s present method of vegetation management.
 - a. It is the best approach because of it's built in flexibility.
 - b. Current range isn't restricted like historic range to a concept of trying to recreate the uncertainties of the past.
 - c. The concept of recreating vegetation conditions that existed 150 years ago and before is impossible and isn't very beneficial to the community at large.
 - d. Current range is the most compatible and consistent with other current land-use activities like agriculture, multiple use and recreation.
 - e. Current range works the best with our current and future vegetative conditions.
 - f. Current range has the best chance of creating a healthy and diversified ecosystem that prioritizes our current needs and vegetative concerns.
 - g. The B. L. M.. is managing public lands within a federally designated reclamation project area. The land within this reclamation area is mostly privately owned. This project area is meant for human development and occupancy. That is another key reason I support current range, it accommodates people and their actions the best. It works better under change, the types of changes that will occur now and in the future.
- 2. Historic range vegetation management is a new and uncertain concept I do not support.
 - a. I do not support the B.L.M..'s efforts to re-create the vegetation uncertainties of the past.
 - b. How do I know if historic range is the best choice when it's never been used before?
 - c. Historic range will be more expensive to implement and more law enforcement will be necessary.
 - d. Those greater expenses cannot be justified by results that are unclear and uncertain.
 - e. Historic range reduces public access, has built-in conflicts with multiple use, and deemphasizes agricultural use.

Current Range Vegetation Manage	ement'.
Print name: <u>Aaron Brook</u>	
Address, City, Zip: 1661 N.E. Cackler	
Signed: Date:	1-10-04

Please amend the preferred alternative to support:

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Sureau Teal Purrington Land / an ag-

3050 N.E.

BLM FORM LETTER

Please Help Keep Our Public Land Open to the Public, by sending this form letter by mail or e-mail. Thank You for your Support

RECEIVED

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

Bureau of Land Management ATT: Teal Purrington 3050 NE 3rd St. Prineville, Oregon 97754

RE: Upper Deschutes Resource Management Draft

As a concerned citizen and recreationist I would like to be on record as supportive of motorized recreation on BLM lands in Central Oregon.

The preferred alternative BLM is proposing does not adequately reflect how an interim policy will be implemented. This interim policy greatly affects our sport and the users as there are no assurances BLM will ever have the resources to put together a designated trail system in the areas proposed.

The aggressive vegetation mangement in Alt. 7 of the Juniper woodlands will negatively impact a propsed trail system.

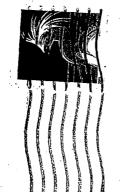
We do not support the closure of the Badlands and feel that providing no motorized opportunities at Prineville Reservoir and the Lapine area is a mistake. There is use occurring in those areas currently, where will that use go? Especially for the Lapine and Prineville residents.

Our use is increasing approximately 20% annually with sales of OHV equipment liksted at \$18 billion annually - the increasing use is not reflected in the severe limitations to OHV use on BLM land.

Please adopt a more flexible road trail density to allow for the best use of the land and for a designated trail system that will succeed. By micromanaging your areas and attempting to put separate trails in for several different uses in the same areas we feel the management will fail and ultimately our use will suffer further restrictions

Print Name Or E-mail form letter to BLM to upper_deschutes_RMP@or.blm.gov

2RD D http://www.geocities.com/comacclub/BLMformletter.html





RUREAU OF LAND MANAGEMENT ATM: Teal Purrington 3050 NE 3rd Street Prineville, OR 97754

MR. & MRS PAUL S. GARSTKA 24575 S.W. LADD HILL RD. SHERWOOD, OREGON 97140

RECEIVED



December 23, 2003

JAN 12 2004

BLM PRINEVILLE DISTRICT

Mr. Barron Bail
District Manager
Bureau of Land Management
3050 NE Third Street
Prineville, Oregon 97754

RE: Upper Deschutes Resource Management Plan and Environmental Impact Statement

Dear Mr. Bail,

For the past fifteen years I have lived on the property located north of Tetherow Crossing, which is bordered by the centerline of the Deschutes River to the west, and surround by BLM land on all other sides. Odin Falls lies just inside the southwest corner of our property boundary.

My family has spent a great of time and effort maintaining and policing the BLM land that surrounds us. Through daily observation, we have seen only a handful of regular "legitimate" users of this parcel of BLM land. These users comprise hikers and horseback riders. The rest of the "users" have been engaged in unlawful activities. Dumping, tree cutting, drug and excessive alcohol consumption, child abandonment, improper/dangerous use of firearms, destruction of private property, access across our property resulting in trespassing, have been some of the actions that we have observed, deterred or stopped.

I have read the Upper Deschutes Management Plan, attended the local meetings, and traveled to Prineville to meet with several BLM staff members. I support the proposed "alternative 7" as it impacts the BLM land that surrounds our property for the following reasons:

1) First, closing the surrounding BLM land to motorized vehicles will significantly reduce the amount of illegal activities that currently are very difficult to police. My neighbor, Gary McCabe, and I hired off-duty Deschutes County Sheriffs this past summer (6 hours a day, seven days a week) to patrol our properties due to the epidemic number of trespass problems we experienced. BLM land (and road use) is and has been used simply as a means to access our property.

Illegal dumping has also become an issue. We fill a full-size pickup approximately every six weeks with trash. Items have ranged from household garbage and lawn clippings to appliances, beds, batteries, and used motor oil. Last summer we witnessed cars, a camper trailer, a motorhome, and a 5-ton flatbed truck being abandoned on your land. Blocking motorized access will greatly help reduce or eliminate this problem as well.

We occasionally get unlicensed drivers (under 16) riding dirt bikes and 4-wheelers on the surrounding BLM land. These riders don't have their parents trailer their bikes here, but rather, they ride some distance on county roads to get to this BLM parcel. So, we have unlicensed riders on bikes that aren't street legal, riding at speeds well above the posted limits, traveling miles to ride on this section of BLM. Unfortunately, these riders don't stay on the established trails, but "criss cross" the BLM land, doing substantial damage to the natural flora. We have observed that it takes years for the land to repair itself from this sort of use. Although this happens infrequently, it still is a concern. With the conflicting use needs, there have been problems between the riders and the hikers and horseback riders.

As stated earlier, the few regular users of this BLM land are either hiking (in which case they park at the "head" of the road – we see a car a week on average), or, they're neighbors riding their horses. Restricting motorized use would allow us to better monitor and to report any illegal activity on this BLM section of land.

- 2) Second, we support the ban on firearm discharge on this BLM parcel. Hunting would not be safe due to housing density. This is a relatively small area of BLM land, and a high-powered rifle's bullet can carry very far. Over the past fifteen years, the land surrounding the BLM parcel has been almost entirely developed, now surrounded by single-family dwellings. Without exact knowledge of the placing of these homes, shooting in this area is not safe. In addition, any hiker or equestrian would be in peril. There are few natural backdrops to use as "stops" for target practice, and the entire area is covered with rock, making ricochets inevitable.
- 3) Third, BLM is proposing that the BLM property due north of us (Steamboat Rock) be used on a three-year rotating basis by the military for training. With the substantial residential growth in this area, we question whether a MTA is a compatible use for this section of property. We would encourage MTAs to be designated to the east and southeast of the Bend/Redmond area because of the noise and traffic generated by military activities
- 4) Although not pertinent to the Upper Deschutes Management Plan, we are most concerned about the proposal to construct a parking lot on the BLM road that leads to our property. With present budget constraints, BLM funds could be directed to projects benefiting a much greater population (without the deleterious side effects of this parking lot proposal). The limited amount of parked vehicular traffic (an average of one car per week) does not warrant the construction of a parking lot. Since this proposed parking lot would not be visible from the county road, it would very much be an attractive nuisance. Some years ago, the area in front of our gate was used as a gathering place for high school students who spent their weekend evenings drinking beer, using drugs, and setting fires. We were able to eliminate this problem. A parking lot would be open invitation for this problem to resurface.

In summary, we:

- 1) Support Upper Deschutes Resource Management Plan alternative 7, with few exceptions.
- 2) Support closing the BLM parcel surrounding our property to motorized vehicular use.
- 3) Are concerned about the compatibility of a proposed MTA (military training area) in the Steamboat Rock area.
- 4) Adamantly oppose the construction of a parking lot on NW Homestead Way.

We have and will continue to be good stewards of this land. In order to continue this positive stewardship, we wish to assist you in your goals to maintain the land by offering to fund the necessary road, border, and fence enhancements to secure the BLM parcel surrounding our land to prohibit vehicular access.

If you have any questions or if there is any way we can be of assistance, please feel to call.

Most Sincerel

Parker Johnstone

PO Box 1727

7291 NW Homestead Way Redmond, Oregon 97756

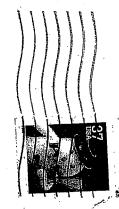
360-921-9600

Parker Johnstone PO Box 1727 Redmond, OR 97756

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Mr. Barron Bail
District Manager
Bureau of Land Management
3050 NE Third Street





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Prineville, Oregon 97754

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JAN 1 3 2004

BLM PRINEVILLE DISTRICT

Bureau of Land Management 3050 NE3re Street Prineville, Oregon 97754 January 11, 2004

Att: Mollie Chaudet, UDRMP Project Manager

I had hoped this draft would have been in favor of the people that are now using the Prineville BLM District public lands. However I see you do not have our best interest in mind. Instead of you have more interest in catering to private property owners and selfish special interest groups than to the people you would see daily out using public lands? How can this be!

Since I was able to walk I have used these very lands to hunt, fish, shooting firearms and arrows, gathered fire wood, horse back riding, riding motorized bikes and pedal bikes, camping, looking for the signs of my ancient ancestors, grazing all types of livestock's, just walking about with no particular place to go, admiring the desert plants and trees, watching the desert animals, observing the rocks and landscapes and have driven thousands of miles on roads, tails and just barley distinguishable two tracks between the sagebrush. Since 1973 I have been a very active four wheeler in this area and have used ever trail or road just four-wheeling which is a viable recreation all by it self.

All of the items mention above is individual recreation done on public lands! Some people I know do but only one. However I like doing them all and ever time I enter public lands it begins a new adventure just as it has been for over 50 years. Each time it is as new and exciting as it was then as a toddler smelling my first sagebrush. My wife and I just go out to these very public lands and spend a quiet night under the stars. It is quiet, peaceful and to watch the sun to set or to rise is beyond words in its beauty of the moment.

The recreations mentioned above have all been done as the BLM is now managing the lands (or not). The only difference from then to now is there are more of us. There were clean camp sites and dirty ones. Some harassed the animals some didn't. Some burnt the whole tree and some respected nature and brought there own fire wood. Most respected private property and stayed on public property best as they could tell. My point is most of us using public lands use them wisely but the few who do not really mess it up for the rest of us! It is this few who seems to be causing the BLM to close these lands to the rest of us. HOW CAN THIS BE!

If the BLM is managing the land should there not be rules for us the users to conduct ourselves while using public lands. Where are these rules for the person driving down Hy 20 and turns onto public lands? Where are they posted? What happens to me if I violate these rules? Are the penalties stiff enough to deterrent me from not doing what I feel like doing? Some of these user have never in their life step foot on pubic lands. It doesn't matter if the person is 11, 15, or 81 years old what is acceptable on pubic lands? There is no one around I can do what I please mentality takes over. Instead of spending millions of dollars in the last 30 years in rehashing old words and ideas (in these books) the money would have been better spent on education the pubic on how these lands should not be used. Educating what is acceptable by most of us land users and not closing public lands. The first thing a land user should see (even

before the road number) YOU ARE ENTERING YOUR LAND. Take care of it as it is your back yard. Most don't realize that each of us own just a bit of that tree. That sage hen belongs to millions of us and no you don't have the right to bother it. The BLM should be in the land etiquette business educating land users and more land would remain open to all.

There is a real problem in this area with roads, trails and ways not being marked. It is hard to figure if this fence is private or BLM. If the gate is open I don't know if I'm leaving or going onto public lands. The BLM needs to do all it can in signing public lands. The maps need to be improved I have stood toe to toe with a people who say I'm on their land but the map lines show it is public land.

All public lands, roads, trails and ways should be open to all users. There is no place that should be inaccessible to all users no matter what there age or physical capabilities are. To create an area or trail system that separated users should be illegal. I have been sharing trails all my life and that is as it should be. This land belongs to all of us and each of us has a right to access it. Closing lands to motorized travel is and should be illegal as that would deny over half of American access to these place of interest. There are more of us each day and we need more access to public lands not less. Our ability to travel these lands will be inaccessible if close to motorized vehicle.

Speaking from a four wheeler point of view the Prineville District BLM office is not working with the local land users. We have spent thousands of man hours trying to build four-wheel trails in this area. Your office has spent thousands of dollars for specialists to look over this area and agree with us there are many areas that would make a good trail system. Your office has spent thousands of dollars in this effort. Areas have been GPS and glossy aerial photos have been marked with trails. As to date all you have done it 30 odd years is close down trail segment after way segment till there is no real trail system left. Your special interest group's biggest bitch is four wheelers tearing up the land yet year after year we have tried to build trails to contain our recreation. A trail system that would be challenging to all level of users skill. A system that would not bother private land owners. A trail system that every age group could enjoy either as spectators or a vehicle operator. These trail system would be open to all users of public lands as all trails should be.

We (local, regional, and national four-wheelers clubs and associates) are still willing to work with you to build these trails. As before there are monies available from state and federal for building four-wheel trails, maintaining and policing them. We will await your phone call!

As Alternative-2 leaves most of land open to most of the land users that is the one I and my friends support.

Sincerely yours;

Randy Drake 6 541-389-7265





BLM Mollie Chaudet, WORMP Project Manger 3050 WE 3rd Street Prineville, OR 77754

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RECEIVED

January 14, 2004

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

Bureau of Land Management Attn: Teal Purrington 3050 N. E. 3rd St. Prineville, OR 97754

Re: Upper Deschutes Resource Management Draft

After reading the BLM's proposed management plan for the upper Deschutes, I feel everyone did a good job; however, you dropped the ball on the OHV planning.

The section that deals with OHV's is way too abstract. There is mention of an interim plan. What is the interim plan - take riding areas away as a planning and management tool because there are no funds available to develop the area?

I don't see how this management plan can be completed without knowing what percentage of BLM land users are in each of the user groups, and how often these users recreate on BLM land. This plan touches on growth in some user groups, but there is nothing on the projected growth of OHV recreation. I have enclosed a document, Appendix A, that sheds some light on this subject. I don't have any idea how these figures fit this area, but I'd bet we could sample the last two year's worth of registration of new OHV's and have some idea for the next ten years of growth in central Oregon.

Until this management plan has a defined plan for OHV's, and addresses OHV recreation growth and resolves any conflicts that may exist, (including funding of the implementation of the OHV plan) I would have to register as being in favor of alternate plan #1, "No Change".

I do believe users and the BLM need a plan that can be administered and that addresses growth in the different user groups.

Bob Lever

20959 King David Ave.

Bend, OR 97702

Enc1.



NEWS

Club membership drives. New Clubs. Poker Runs. Work Party. We're looking for news of interest to Oregon's OHV community. Send it by Email or snail mail. We will place it on this page. Send to OOHVA, 34074 E. Peebles Rd. Eugene, Or. 97405.

OHV Demographic and Economic Statistics

Note: This data was presented in March 2003 at the National OHV Managers Meeting in Charlotte, Nor document was written from notes taken by Dick Dufourd, Central Oregon OHV Coordinator.

Sales and Demographic Data:

- 1. Of the OHVers in 1997, the East was 63% ATVs, the South was 72%, and the West was 53%
- 2. In 1997, there were 3.9 million ATVs (66%) and 2.0 million OHMs (off-highway motorcycles)(34%)
- 3. In 2002, there were 800,000 ATV sales (73%) and 300,000 OHM sales (27%). That's almost 2200 A. nationally. OHM sales are flat.
- 4. From 1997-2002, OHV sales have increased 171% in the West (355% in California)
- 5. The average ATV rider age is 40, OHM is 30
- 6. About 70% of use is on weekends
- 7. ATV riders are 90% male, OHM riders are 95% male
- 8. In households that participate in OHV recreation, there are 2.9 riders
- 9. About 43% of OHV riders have professional/managerial occupations
- 10. In a Tennessee survey:
- a. the average ATV group size is 3.8 and OHM group size is 6.9
- b. when camping, the average length of stay is 3 days
- c. the average day use is 6 hours

- d. there are 153,000 ATVs and only 46,000 OHMs
- e. the motivation to OHV recreate is: #1 enjoy natural scenery
- #2 escape everyday stresses
- #3 social, family and friends
- #4 exploration
- #5 challenge
- f. riders want campsites, long trails, touring opportunities, play areas, quality signing and mapping
- 11. According to USDA Forest Service, the number of OHV recreationists in US:

5 million in 1972

20 million in 1983

28 million in 1995

36 million in 2000

72% ride on public lands

- 12. In a recent survey of children, 50% would prefer a virtual tour of the outdoors rather than be in the o of the kids in Los Angeles have never been to the ocean.
- 13. Our population will grow another 50 million in 20 years (275 million to 325 million)
- 14. In Maripopa County, Arizona which is the 3rd poorest county in the state, 90,000 ATVs were sold la
- 15. On the Paiute Trail in Utah, there were 1,000 riders in 1990 (it was relatively new) and 60,000 in 20 the use is non-local.

Economic Data:

- 1. The average OHV recreationist spends \$500/trip
- 2. In 1998, the total OHV economic value was \$18 billion. This includes \$2.7 billion in sales, \$2.4 billion for trips.
- 3. In the Tennessee survey, the OHV economic impact was \$5.7 billion (their timber industry is \$5.0 bill
- 4. The average annual income for an ATV rider is \$60,000, and the average OHM income is \$40,000
- 5. In an effort to revitalize depressed communities in southern Utah, the Paiute ATV trail was establishe mile core trail system with another 550 miles of side trails that connect to 16 communities.
- a. in the mid-80s, Marysvale had 7 businesses, but with the trail, there are 21 businesses today
- b. in 1996, a new RV park was built in Marysvale with 20 units, it expanded to 40 units in 1999 and 80 to booked well over a year in advance.
- c. during Jamboree week, riders spend \$500,000

- d. the average rider spends \$110/riding day
- e, this previously depressed area now receives \$5 million/year from OHV recreationists.
- 6. The Hatfield-McCoy trail system in West Virginia is only two years old and has 400 miles in 4 counti will eventually be 2,000 miles in the heart of the economically depressed Appalachia.
- a. there were 6,000 trail permits sold in 2001, 14,000 in 2002, and 20,000 (est) for 2003
- b. in the two years, 6 outfitter-guide businesses have formed, 9 campgrounds have been built, and 2 new built
- c. two years ago, none of the existing businesses were turning a profit, today, all of the businesses have : margin

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Bureau of Land Management
Attn: Teal Purington
#1346

10: Upper Deschules Resource Management Dreft

Bureau of Land Management ATT: Teal Purrington 3050 NE 3rd St Prineville, Oregon 97754

RE: Upper Deschutes Resource Management Draft

As a concerned citizen and recreationist I would like to be on record as supportive of motorized recreation on BLM lands in Central Oregon.

The preferred alternative BLM is proposing does not adequately reflect how an interim policy will be implemented. This interim policy greatly affects our sport and the users as there are no assurances BLM will ever have the resources to put together a designated trail system in the areas proposed.

The aggressive vegetation management in Alt. 7 of the Juniper woodlands will negatively impact a proposed trail system.

We do not support the closure of the Badlands and feel that providing no motorized opportunities at Prineville Reservoir and the Lapine area is a mistake. There is use occurring in those areas currently, where will that use go? Especially for the Lapine and Prineville residents.

Our use is increasing approximately 20% annually with sales of OHV equipment listed at \$18 billion annually – the increasing use is not reflected in the severe limitations to OHV use on BLM land.

Please adopt a more flexible road trail density to allow for the best use of the land and for a designated trail system that will succeed. By micromanaging your areas and attempting to put trails out for several different uses in the same areas we feel the management will fail and ultimately our use will suffer further restrictions.

Print Nam	e BoB	LEVER		
Address_	324 5	E 9th	BEHD, OR	97702
Signed	\sim \sim \sim \sim	I Flee	<u> </u>	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
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January 14, 2004

RECEIVED

JAN 1 4 2004

BLM PRINEVILLE DISTRICT

Bureau of Land Management Attn: Teal Purrington 3050 N. E. 3rd St. Prineville, OR 97754

Re: Upper Deschutes Resource Management Draft

I have read many articles regarding the hikers/bicyclists/horse riders vs. the OHVers, and it appears the former group does not want to share trails with the latter group. There may or may not be good reasons for this attitude, but whatever the outcome, all groups are going to have share the limited recreation resources in this area.

OHV people have been willing to share trails with the "human-powered" group, but not the other way around. The very trails that the hikers etc. are trying to claim for their exclusive use in the Cline Buttes area and the Badlands, were created by OHVers. In addition, a portion of the gas tax (as determined by the registered number of OHV tags purchased) is supposed to go to OHV trails.

While areas for OHV's to ride in are constantly being diminished, (or under threat of being diminished) new areas have not been added to make up the deficit. As areas are designated wilderness areas, we are discriminating against certain groups, including the disabled, and creating an elite user group. How many hikers/bicyclists/horse riders are there, anyhow? I have seen whole families using motorcycle/ATV facilities year round, and only one or two vehicles in hiking areas. I have never seen any people or activity at any of the horse corral set—ups.

I am not an OHVer, although I know plenty of nice people who are. But I believe in equality. We all pay taxes and we should all be able to use the public lands. This land belongs to all of us.

Sue Lever

20959 King David Ave.

Sue Leve

Bend, OR 97702

BUREAU OF LAND MANAGEMENT Attn: Teal Purrington

Re: Upper Deschutes Resource Management Draft



RECEIVED

JAN 1 4 2004

BLM PRINEVILLE
DISTRICT

January 11, 2004

Bureau of Land Management Prineville District Office Draft UDRMP 3050 N.E. Third Street Prineville, OR 97754

Attn: Teal Purrington G. Scott Currie

Topic of Concern: Upper Deschutes Resources Management Plan

Dunmen-

The UDRMP has too many options; you do one thing in one alternative but not in another alternative? The proposed ACEC's in alternative #7 severely restrict OHV use. The Tumalo canals are some of the best trails at Cline Butte. In alternative #7 you provide a balance of 45% motorized and 43% non-motorized, but you have not determined WHO are the user groups and the percent of these groups who use the areas. I think this information is important in the planning for the division of use in the areas. How will these plans be implemented and were will the funds come from to support them? If you can open North Millican in alternative #7 why is it not open now? Currently 92% of BLM land is open year around for recreation use with 77% open to motorized use. Alternative #7 will reduce this to 38% motorized use. The plan does not address future demands for OHV use. No were in the plan did I find facts or figures on economic values that each user group provides to the local economy? The population is growing and with it OHV use, why is the BLM reducing OHV opportunities. Closing the Badlands isn't management, but I think it will influence Congress and the BLM isn't supposed to do that. None of the alternatives address the real OHV issues, so my vote goes to alternative plan #1. I think the BLM recreation department needs to work closely with COMAC and the OHV users; together I think we can come up with designated trail systems that work.

Sincerely,

Scott'Summers / 2442 N.W. 101st lane

Redmond, Oregon 97756

TERL PURRINGTON & GREG CURRIE

1348



Cline Buttes:

Cline Buttes is a very important recreation area for the OHV community of Central Oregon. Its close proximity to Redmond, Bend and Sisters has made it a popular area for locals to recreate in for over two decades. Cline Buttes offers a variety of terrain, from the top of the buttes on the east, to the flat land in the middle, dry canyon to the west and the Maston allotment on the east side of Cline Falls Hwy. Cline Butte is an OHV heaven.

I would like to see the Tumalo Canal ACEC dropped from this plan. The canals provide one of the best trail loops in the Cline Buttes area. How come it's taken the BLM Archaeologist until 2003 to recognize the canals? We (OHV) people have been riding the canals for 2 decades. If you want to designate these canals historic, then fine, but leave them open for all users. I have not in the five and a half years I have been riding these canals have I seen a hiker on them, I have seen a few mountain bikers and no equestrian use... We have over the years cleared rocks, fallen trees, garbage and other debris out of the canals' and that is why they are in such good shape and you can recognize them as a canal. The canals also keep OHV, mountain bike and other uses from venturing cross country because the canal contains you in them. Also how is a manmade canal an AREA of CRITICAL ENVIRONMENTAL CONCERN? How does the canal became an ACEC in alternatives 2, 5, 6, and 7 but not in alternative 1, 3, and 4? The canals need to be part of a designated OHV trail system for all to use.

Dry canyon needs to remain open to OHV use. The canyons are beautiful to ride thru and its one of my highlights of the day when riding at Cline Butte. I have had one negative experience with an equestrian rider in five and a half years of riding here. I can show you were horses have done more damage to the trails that any OHV has. So if you are going to close it to OHV use it also should be closed to equestrian use. Dry canyon needs to be part of a designated OHV trail system for all to use.

I would also like to see the ACEC dropped for the Peck's Milkvetch and old growth juniper in Cline Butte. What is old growth juniper? There are old junipers trees everywhere in Central Oregon, And Peck's Milkvetch is just a poisonous plant; it's referred to as loco weed. You can find milkvetch plants everywhere. Are these plants and tree's going to die because there is a trail through them, I doubt it. What does the Milkvetch provide to this area? Does it provide food to animals? No, but it does keep the land closed to OHV's. I have looked in every plant book at Barnes and Noble and online at the Oregon department of threatened and endangered species and found no Peck's Milkvetch listed. If you want to protect it then direct OHV use around it.

I feel Cline Butte has the potential to be a great OHV area. I have a personal interest in this area because it's in my backyard. I have many friends and neighbors who use this area to ride their OHV's and horses. I would love to help keep this area open for all to use.

Badlands:

This area has historical OHV use and should not be closed down. This area also doesn't fit the description of a Wilderness area. This land has been fenced and cross fenced, cattle have grazed on it, it has many roads running thru it. It's been used by OHV's for decades. It borders a major hwy; I was told the military used it for a bombing range. It has a gravel pit at one of its entrances. By closing this area instead of managing its use I feel the BLM is influencing the direction of the Badlands. This area needs to remain open to OHV use, we don't want to ride wild across the desert, we just what to ride the trails and roads that have been here for decades. The problems at the Badlands aren't from OHV users, the problems are from social issues. When is the last time you saw a motorcycle with a refrigerator on the back on his way out to dump it off! All of the BLM areas have this problem, all from people that have no respect for anything.

Horse Ridge, North Millican, Millican plateau, Prineville reservoir and the rest of the UDRMP: If you close trails where will the users go? All of these areas have trails that help to spread out OHV use, if you close all the land you propose the OHV areas will get condensed and what do you think will happen to that land then? Over use? Maybe they will move to someplace where they aren't supposed to be. We need more OHV areas not less. We need designated trails so we don't ride were we aren't supposed to be.

Thanks for taking the time to read this, sincerely, Scott Summers



Bureau of Land Management ATT: Teal Purrington 3050 NE 3rd St Prineville, Oragon 97754

JAN 1 6 2004

BLM PRINEVILLE DISTRICT

RE: Upper Deschutes Resource Management Draft

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Print Name Cl. Hord D. Rose

Address 1070 N & Jones Rd-Bend, OR 97701

Signed Coffeed Desc

Clifford D. Rose
Marcia M. Rose
1070 NE Jones Rd.
Bend, Oregon 97701
#1349



Durau of Land Management Oth: Leal Burington 3050 h.E. Ind Street Orineville. OR 97754

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Print Name _	MARCIA D. ROSE	·
Address	1070 n & JONES Rd.	BENDOR 97701
Signed	Maria M A sie	